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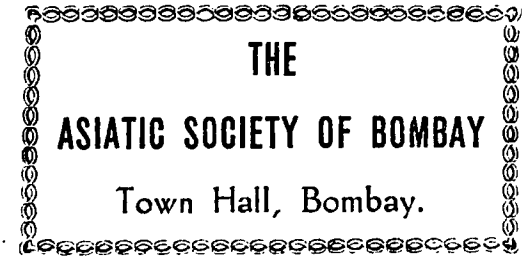

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HISTORICAL ESSAYS

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BY

EDWARD A. FREEMAN, M.A., Hon. D.C.L. & LL.D.

REGIUS PROFESSOR OF MODERN HISTORY IN THE UNIVERSITY OF OXFORD

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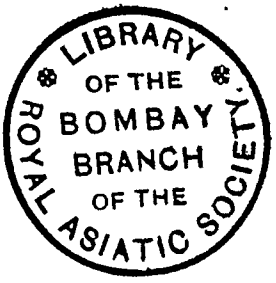
FOURTH SERIES



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PREFACE

THE present collection of Essays, though all may, I think, fairly come under the head of 'historical,' is somewhat more varied in character than the three volumes which have gone before it. The pieces now reprinted do not illustrate any one great portion of history in the way that each of those volumes did. Some, chiefly those put early in the volume, are essentially of the same class as those essays in the former volumes in which I took some particular place, and tried to point out at once its own local character and its position in the history of the world. But there is one only which is written exactly on the same pattern. The paper headed 'Augustodunum' belongs to the same group as those in the third volume which dealt with Trier, Ravenna, Spalato, and Palermo. Autun can hardly pretend to an equal interest with those cities; but the interest which it has is exactly the same in kind. That essay ought to have gone along with its fellows; only it was not written till after the Third Series was collected. And it is likely to be the last, as I am sorry to say that the British Quarterly Review, in which the series appeared, has gone the way of the National and North British Reviews. The other pieces of the same general kind, as those on Orange, Aix, Périgueux and Cahors, and Carthage itself, were written for periodicals where they could not be treated quite on the same scale. They therefore do not represent so much actual research as the series which ends with

Augustodunum; but I trust that what work there is in them is real work as far as it goes. At any rate I was amused with a saying of one of those newspaper critics whose odd remarks often open to us new views of human nature. The paper on Périgueux and Cahors was pronounced to be 'too learned for a holiday article.' I am not sure that I quite grasp the definition of a 'holiday article'; but I learned that there are minds which cannot understand that the tracing out of the features and history of a city may be as truly a scientific business to one man as the study of the surrounding *flora* and *fauna* is to another.

To these more or less local pieces the paper on 'English and French Towns' seemed to make a good introduction. I also grouped with them a few others, as 'Alter Orbis,' and 'Points in the History of Portugal and Brazil.' The latter, as I have explained, was an Oxford lecture, written under somewhat peculiar circumstances. Both were suggested, but only suggested, by passing occasions. Pieces bearing wholly on immediate political questions or other temporary subjects I have carefully shut out. But at the end comes one piece which is political in a more general sense. The essay on the House of Lords was, as I have explained in the note to it, put together with some toil out of several temporary pieces, each of which seemed to contain some permanent matter. I have done the work as well as I could; but I fear that the result may be some repetition and some inequality of style. A grave article in the Encyclopædia Britannica and a paper suggested by an immediate political occasion have their necessary differences of treatment. To the 'House of Lords' the essay on 'Nobility' was a natural introduction, and the 'Growth of Commonwealths' did not seem out of place in the same company. But I may add that it is only by accident that the paper on the 'Constitution of the German Empire'

appears as a separate essay. It was meant to be a mere note to that on the 'Growth of Commonwealths.'

Between these two, as I hope, fairly solid masses at each end, I have ventured to throw in a few slighter pieces from the Saturday Review, a few out of many contributed to that paper from its beginning to the year 1878. I put them forth as a kind of experiment, hardly knowing whether they are really worth preserving as separate pieces; I have used several already as notes to longer essays in other volumes. No one will look for full treatment of any subject on so small a scale; but it has sometimes struck me that a short paper of that kind now and then brings out a particular thought or point of view more forcibly than a longer one.

I have as usual to thank several editors and publishers for leave to reprint the pieces in which they have an interest. And I have further to thank Mr. C. W. C. Oman of All Souls College for valuable help in revising the essays on 'English Civil Wars' and the 'Battle of Wakefield.'

16 Saint Giles, Oxford,
January 22, 1892.

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ADDITIONS AND CORRECTIONS

p. 24 note, *for* latest *read* later.

p. 32 line 7 from bottom, *for* see *read* say.

p. 220 l. 20, *for* Fifth *read* Third.

p. 224 l. 15, *dele* comma *after* enough.

p. 234 l. 4 from bottom, *for* isle *read* island.

p. 253 note l. 5, *for* has *read* had.

p. 262 l. 2, *after* he *read* means.

p. 324 l. 16, *put* semicolon *after* Portreeves.

p. 347, *after* l. 12 *read* during the vacancy of the archbishopric, *and in the next line dele* Archbishop.

p. 353 note, *for* horrors *read* horror.

p. 361 l. 7 from bottom. It may be said that something of this kind was done in the appointment of the decemvirs. But it is hardly safe to speak positively. It seems more likely that the decemvirate was originally only a temporary commission, whose holders contrived to make themselves into something like a *δυναστεία*.

p. 416 l. 7 from bottom. While speaking of the creation of nobility from outside in France and elsewhere, I ought perhaps to have spoken more distinctly of cases in which nobility could be gained by some process other than the direct act of the sovereign. Such was the nobility conferred in France by the possession of certain offices and by the purchase of a 'noble' estate. But I suppose that a lawyer would say that both of these ways of reaching nobility were grants from the Crown, general instead of particular grants. Nobility by purchase of a 'noble' estate is something like our barony by tenure, of which I speak in the last essay in the volume.

p. 444 l. 11, *put* comma *after* identity.

p. 454 l. 10, *dele* the year from which so many things parliamentary date.

p. 463 l. 12 from bottom, *for* cause, *read* causes.

I.

CARTHAGE.

THERE is no spot on which one more keenly feels the mischief that has come of cutting up the study of history into arbitrary fragments than on the site of Carthage. There is no spot which the Unity of History may more rightly claim as one of its choicest possessions. In the history of the neighbouring land of Sicily the main charm lies in the fact that the same tale has to be told twice, that the same struggle has been fought twice. And so it is with the city which so long played a great and fearful part in the affairs of Sicily. Carthage has had a double life, a double history; and we do not take in what Carthage has really been in the history of the world if we look at one of those lives only. It is pardonable if, standing on the site of Carthage, with the two lives of Carthage in our memory, we go on to dream that a third life may perhaps be still in store for her. It was at least a piece of news which might call up many thoughts when we read the other day that a successor of Cyprian had just dedicated his newly built metropolitan church on the height which is at once the Bozrah of Dido and the hill of Saint Lewis, the spot from which Gaiseric ruled the seas, the spot to which Heraclius dreamed of translating the dominion of the elder and the younger Rome. We fail to take in the greatness of the story of which we stand on the central scene, unless we call up all its associations, and not the earliest group only. Mighty men have trod the soil on

which we stand, and not in one age only. If Hannibal set forth from the first Carthage to deal his heavy blows on the elder Rome, Belisarius came from the younger Rome to bring back the second Carthage to her dominion. If the first Carthage bowed to no foe till the elder Scipio had learned the arts of Hannibal, it was from the second Carthage that Heraclius went forth to practise those arts on a third continent. We feel the greatness of the site when we think of Phœnician Carthage ruling in Sardinia and Sicily and carrying her arms to the gates of Rome. But the feeling of its greatness comes home to us with a twofold strength when we think how, as soon as Carthage was again the seat of an independent power, that power at once sprang to a position which well nigh rivalled that which the city had held in its elder days. Teutonic Carthage was but for a moment; but Teutonic Carthage too ruled in Sicily and Sardinia, and carried her arms not only to the gates of Rome but within her walls. If the bull of Phalaris was carried as plunder to the first Carthage, the candlestick of Solomon was carried as plunder to the second. If one conqueror restored the bull to Agrigentum, another restored the candlestick to Jerusalem. The tale loses half its grandeur, it loses all its completeness, if we stop at the end of its first chapter. Let it be, no one will deny it, that Phœnician Carthage was greater than Roman Carthage. But that Roman Carthage, once planted on the same site, rose to no small measure of renewed greatness, is surely the best of witnesses to the greatness of Phœnician Carthage and to the wisdom of those who chose the site for its first planting.

But, while we must not let the greatness of the first Carthage blind our eyes to the existence or to the greatness of the second, we must freely allow that the second Carthage is something, not only second in time, but in everything secondary to the first. The charm of the second Carthage, of the acts that were done in it or by its masters, comes largely from the fact that the first Carthage and its acts

went before them. It is not always so with the second state of a city. Megarian Byzantium has its own place in history; but its main interest is that it was the forerunner of Constantinople. Within the world of Carthage itself, Phœnician and Roman Panormos counts for something; but it counts for little beside the glories of Saracen and Norman Palermo. But the second Carthage lives in a manner by the life of the first. As a power, its greatest, indeed its only, day is its Vandal day. And the most striking thing about the Vandal day of Carthage is that it so wonderfully recalls its Phœnician day. It is the purely Christian associations only that stand on a real level with the associations of the oldest time. Cyprian would be the same if Hamilkar and Hannibal had never trod the ground of the Bozrah before him. Gaiseric hardly would be.

The old Phœnician Carthage holds a place in the history of the world which is all her own. Phœnicia stands alone among nations, and Carthage stands alone among Phœnician commonwealths. That last is a word to be noticed. In a glance across the historic nations it strikes us at once that the Phœnicians are the only people beyond the bounds of Europe who rank as the political peers of the European nations. Aristotle, to whom the name of Rome was barely known, whose thoughts had been in no wise drawn to the polity of Rome, thought the constitution of Carthage worthy of careful study, and he gives it the tribute of no small praise. Polybios, with his wider range of vision, makes the constitutions of Sparta, of Rome, and of Carthage the subject of an elaborate comparison. One is tempted to think that the Phœnicians, settled within the Western world, within the bounds of Europe itself or of that Africa which is truly a part of Europe, had drunk in something of the spirit of the West, and had almost parted company with the barbaric kingdoms of Asia. We seem to see the change taking place by degrees. The

Hamilkar and the Hannibal of the fifth century before Christ, the defeated of Himera and the destroyer of Himera, are still essentially barbarians. Their generalship does not go beyond a blind trust, successful or unsuccessful, in the physical force of huge multitudes. Massacre and human sacrifice are as familiar to them as to any Eastern despot. The Hamilkar and the Hannibal of the third century before Christ are essentially Europeans. And they are, we need hardly say, Europeans who stand alongside of, or above, the greatest names in Greek and Italian story. It was a mere outward sign that Carthage should adopt the coinage and others of the arts of Greece. The Carthage of the House of Barak had become essentially European in greater points. Its statesmen, its generals, not only the two immeasurably great ones, but a whole generation of them, distinctly surpass those of Rome. A few great men doubtless did much to raise the whole people; but the fact that those great men could arise and could find scope for their energies in the Carthaginian commonwealth shows that the ground was at least ready for them. Doubtless Hannibal soared above Carthage; doubtless Carthage soared above other Phœnician cities. And these two truths imply as their groundwork that Phœnicia, as a whole, soared above all other barbarian nations. The fact that there was a Carthage, that there was a Gades, a Hippo, an Utica, and a Panormos, is enough. If Carthage rose to the first place as the ruling city, the cities of the old Phœnicia had already done something greater. They were the first colonizing cities. They gave the Greek the model of an intelligent system of distant settlements, as distinguished from a simple Wandering of the Nations. And they knew, what later nations have been so slow to learn, the way to avoid the need of Wars of Independence, the way to bind colony and metropolis together from the first hour of their common being. Carthage in her greatness still reverenced Tyre in her fall, because Carthage from the moment of her birth had been the child of Tyre and not her subject.

In truth, the mere fact that in speaking of the Old Phœnicia we have to speak of cities marks of itself the wide gap between Phœnicia and any other barbarian land. No doubt the westward movement did much to quicken the civic and political life in the Western colonies of Phœnicia. It was in the West, as if by virtue of geographical position, that the orderly constitution of *Shophetim*, Senate, and People, grew up, which Aristotle and Polybios honoured with their study, the constitution of which it could be said that its working had never been disturbed by a revolution or a tyranny. The Old Phœnicia undoubtedly had kings, and their authority was sometimes tempered by revolutions. Still the Old Phœnicia was a system of cities, and the king of a city can never be the same uncontrolled despot as the king of a vast realm. When Tyre and Sidon had sunk to vassalage, their kings still held the first place in the councils of Xerxês. It was to them that the Great King turned for ships and seamen to cope with the ships and seamen of Greece. It was among their people alone that he could find men with wit enough to do his works of engineering. Yes, before Carthage was, before Gades was, the men of Canaan in their old seats had made the beginnings of history. It is with a strange feeling that we look back to those first glimpses of the world, when the clouds were just beginning to lift themselves from the eastern shores of the Mediterranean, and when those immemorial cities, ancient in the days of our first recorded facts, were already entering on the path of 'ships, colonies, and commerce.' If the full developement of the race was to be wrought on the soil of Spain and Sicily and Africa, it was in the old land of the palm, on the narrow strip of flat land between Lebanon and the Great Sea, that the race first showed its power.

It is an essential part of the history of Carthage that she was, as her name implies, the New City, very far from the oldest, seemingly one of the youngest, of the colonies that Sidon and Tyre and Arvad sent to the West. Gades

on the Ocean, furthest of all from the old home, was held to be the oldest of all. Tharshish, the land of gold, was the main object of Phœnician enterprise; the settlements in Africa and Sicily arose as stages on the road. Specially must it be borne in mind that the Phœnician colonies in Sicily, Solous—*Sela*—on her rock, Motya in her sheltered harbour, Panormos on her tongue of land between the two branches of her *All-haven*—all these were no colonies of Carthage, but sister cities, most likely elder cities, which she brought step by step under her dominion. It is thus as the ruling city, the mistress of a vast and scattered dominion alike over her kinsfolk and over strangers, that Carthage holds her place in history. It was her calling, a calling which no other city of her own stock undertook before her, which no city of any other stock carried out on the same scale or with the same success. No dominion ever lasted so long on a foundation seemingly so weak. For the foundation of the power of a ruling city must ever be weak; it must be weak in proportion as it most fully carries out the idea of the ruling city. Carthage in the end yielded to Rome. We may say that she yielded to Rome, because Rome, carrying out the idea of the ruling city less perfectly than Carthage, had sources of strength which Carthage had not. Rome was a ruling city; but each step by which her rule advanced took away something of her character as a ruling city. For at each step she admitted some new circle of allies or subjects to her franchise. That is, she raised them from the ranks of the ruled to the ranks of the rulers. But each step in the process made the Roman state less of a city and more of a nation. Aristotle, if he had looked at Rome as he did look at Carthage, might have set her down as being, like Babylon, though from quite another reason, ἔθνος μᾶλλον ἢ πόλις. This the position of Rome, as an inland city, whose territory grew by the addition of adjoining lands, allowed her to do. And therein lay her strength. Rome could fight her wars by the swords of citizens, and of colonists and allies to whom

the hope of future citizenship was held out. When Rome and Carthage first met as enemies, the Roman, master of Italy, might walk from one end of his dominion to the other. For a long part of his journey, his walk would lie among men speaking his own language. At no stage of it would it bring him among men of a speech, a culture, a life, wholly alien to his own.

Carthage, on the other hand, was the ruling city in a sense the opposite to all this. She was a city which could never grow into a nation, because she was herself from the beginning a settlement of a distant nation on a foreign shore. She was the greatest of many Phœnician cities in Africa; but she could not stand to them as Rome did to the Latin cities around her. Rome was the head of a continuous Latium; Carthage could not be the head of a continuous Phœnicia. For Utica and the Hippos were settlements on a foreign shore no less than herself. The Latin was in his own land; the Phœnician was in the land of the native African. It is the most speaking of all facts that, long after the Carthaginian power had begun, after Carthage had won no small dominion over distant towns and islands, she still paid rent to an African prince for the soil of her own city. The fact has been disputed; but why? It rests on as good authority as most other facts in Carthaginian history; it is in no way contradicted; it is in no way unlikely. To a city wholly seafaring, which began with trade and from trade went on to dominion, the dominion of the mainland on whose shore she stood was of far less moment than the dominion of such points and islands, far and near, as lay well placed for the purposes of her commerce and her ambition. A continuous dominion in Africa was the latest form of Carthaginian power; and, when it came, it was mere dominion over a subject barbarian land, broken here and there by a Phœnician town that was dependent rather than subject. There was nothing around her that Carthage could take to herself and make part of her own being, as Rome

could do with the towns of Latium, as Athens in her earliest day could do with the towns of Attica.

But it is this very isolation, this incapacity for enlarging herself as she enlarged her dominion, which made Carthage the very model of the ruling city. She stood alone. She was lady and mistress over her scattered dominions, commanding the resources of lands and towns, far and near, in every relation of subjection and dependence; but she stood aloof from all, incorporating none into her own body. She waged her wars by the hands of strangers. She commanded the services of subjects and dependents; she bought the services of the stoutest barbarians of the Western world. Her own citizens were but the guiding spirits of her armies; they never formed their substance and kernel. It was only in moments of special danger, on her own soil or on the neighbouring soil of Sicily, that the Sacred Band went forth to jeopard their lives for the Carthaginian state. In a Roman army, an army of citizens and kindred allies, every life was precious. A Carthaginian army might win a crowning victory, it might undergo a crushing defeat, with the loss of no lives but such as the gold of Carthage could soon replace. Here lay her strength and her weakness. A Punic general could risk his soldiers as even a tyrant could not risk Greek citizens; but the state of Carthage lived ever in fear of her hireling swordsmen. The great mutiny of the mercenaries after the first war with Rome was but the most frightful of several. It is a ghastly but characteristic tale that Ostecôdes, the Isle of Bones, the modern Ustica, took its name from a mutinous detachment of a Punic army who were left there to perish. A Roman army fought for Rome; a Punic army never fought for Carthage. The Numidian, the Spaniard, the Gaul, the Campanian, fought in his lower mood for the hire of his arm and his sword; in his highest mood he fought, not for Carthage, but for Hamilkar or for Hannibal.

All this at once distinguishes Carthage from those ruling

cities, Rome the chief of all, which commanded a continuous dominion. That is almost the same thing as saying that her parallels, if she has parallels, must be sought for among seafaring powers only. The life by sea was the very life of Carthage. When the Romans before the last siege made it a condition of peace that Carthage should be forsaken and some point ten miles from the sea occupied instead, every Carthaginian felt it to be a sentence of death. Athens could not be great without her fleet; but she could live without it. She had for a moment a scattered dominion of somewhat the same kind as the dominion of Carthage; but it was only for a moment. No other city of old Greece, no other city of her own Phœnician stock, comes near enough to her to admit even of contrast. The mediæval world supplies nearer parallels. Among cities of our own race, as we are tempted to call Bern the Teutonic Rome, so are we tempted to call Lübeck the Teutonic Carthage. But neither Lübeck nor any of her Hanseatic sisters fully reproduces the old Phœnician model. They are mighty on the sea, mighty for trade, mighty for warfare; but their special character was to be mighty in both ways, to strike terror and to bear rule, without forming anything which could be called territorial dominion. Far nearer to Carthage are the later seafaring cities of her own Mediterranean waters, Genoa in some measure, Venice in a higher. Venice indeed is the nearest reproduction of Carthage that the world has seen. She too united trade and dominion; she ruled from her islands, as Carthage ruled from her peninsula, over possessions scattered far and wide, fortresses, cities, islands, kingdoms, over all of which she exercised lordship, but none of whom did she or could she incorporate into her own commonwealth. More perfect in her position than Carthage, she never paid rent for the soil of her Rialto as Carthage did for the soil of her Bozrah. But the two ruling cities agree in this, that dominion on the adjoining or neighbouring mainland was the latest form of dominion for which they sought.

One fears to carry on the thought further. But, now that the world has grown, now that great kingdoms and commonwealths have taken the place of single cities, now that the Ocean with its continents has taken the place of the Mediterranean with its islands and peninsulas, it may be that later times supply parallels to the dominion of Carthage on a greater scale than that of Venice. It may be that they supply one special parallel of special interest to ourselves. In every such comparison we shall find the differences which come of altered scale and circumstances; but in every power which has held a scattered dominion over lands parted by the seas we may see a nearer or more distant parallel to Carthage, as in every power which has slowly and steadily advanced to a continuous dominion by land we may see a nearer or more distant parallel to Rome. The thought of Carthage is called up both by analogy and in ways more direct when, in one of the subject lands of Carthage, we see a power grow up which holds under its dominion a large part of her other subject lands. The thought comes more keenly still when that power is for a while clothed with the majesty of Rome, and in that character goes forth to wage victorious war in Africa and for a moment to make Carthage itself part of its possessions. When a Spanish King who is also Roman Emperor, who is also King of Sicily and Sardinia, goes forth on the old errand of Agathoklês, Scipio, and Belisarius, when he sets forth to war from Caralis and comes back to triumph at Panormos, we seem to see the old forces of Phœnician Carthage turned against her on her own soil. Charles of Austria, Charles of Burgundy, first Charles of Castile and Aragon, fifth Charles of Germany and Rome, setting up the banners of half Europe upon the walls of conquered Tunis, seems, as it were, to gather up the whole tale of Rome and Carthage in his single person. And when we go on to remember that the Roman Augustus, the Spanish and Sicilian King, was lord, not only of the inner sea, but of the Ocean, that he bore himself as monarch of its continents

and islands, monarch of the Eastern and the Western Indies, ruler in every quarter of the globe, master of a dominion on which the sun never set, we may think that the conqueror of Tunis had not only, in a figure, subdued Carthage in her older world of the inner sea, but had in truth called up a dominion like her own in the newer and wider world of Ocean.* And his dominion has passed away from the older and narrower as well as from the newer and wider world all but as utterly as the dominion of Carthage herself. Of an European power that took in Sicily and Friesland not a shred is left outside the Spanish peninsula and its islands. A few islands east and west stand as survivals of dominion in Asia and America, memorials of the proud style of King of the Indies. A fortress on the coast of Africa, holding one of the pillars of Hêraklês, is before all things a reminder that the grasp of the pillar which stands on Spanish ground, and with it the keeping of the mouth of the inner sea of Phœnician and Greek, of Venetian and Genoese, has passed into the hands of an island kingdom in the Ocean. It is in fact in the power which has thus so strangely established itself on Spanish ground that we seem to see the nearest parallel to Carthage in the modern world. England indeed, as well as Spain, has played, and still plays, a direct part within the old dominion of Carthage. Gibraltar, Malta, Minorca so often taken and lost in the last century, Sicily, so remarkable a scene of English influence in the early days of the present century, all bring us within the actual range of Carthaginian power. Malta and Gozo indeed, richer than any other spots in Phœnician antiquities, keeping, not indeed the tongue of the Phœnician, but the kindred tongue of the Saracen conquerors of

* I remember being much struck with the first page of a book which I saw at New York—I saw only the first page under a glass case, and I forgot to carry off the name. A Latin panegyrist of Charles the Fifth magnifies him for having won for himself a new Empire in America equal to his old Empire in Europe. Here is the same general idea carried out in another direction.

Sicily, seem to stand as a special memorial of the two ages of Semitic dominion in the Mediterranean. Cyprus again brings us, if not within the immediate range of Carthage, yet within the general range of Phœnicia; and the English bombardment of Algiers, if less striking in itself, not touching the immediate land of Carthage, was a worthier work in the world's history than the Spanish conquest of Tunis. But, just as in the case of Spain, the more instructive side of the comparison between England and Carthage lies outside the old Carthaginian world. England indeed, with her settlements and possessions, her colonies dependent and independent, scattered over the whole world of Ocean, is truly a living representative on a vaster scale of the Phœnician city with her possessions and settlements scattered over the Western Mediterranean. The Empire of India, held by an European island, calls up the thought of the dominion in Spain once held by an African city. And in some points the dominion of England seems to come nearer to that of Carthage than the dominion of Spain ever did, while in other points the course of English settlement rather carries us back to the older Phœnician days before Carthage was. One point is that the spread of Carthaginian and of English power, as being in each case the advance of a people, have more in common with each other than either has with the advance of Spain under her despotic kings. But the higher side of English colonization has more in common with the earlier days of Phœnician settlement than it has with the Carthaginian dominion. The old Phœnician settlements grew up in Spain, in Africa, in Sicily, just as English settlements grew up in America, Australia, and New Zealand. In both cases men went forth to find new homes for an old folk, and to make the life of the old folk grow up in the new home. But the settlements and conquests of Carthage had all a view to trade or dominion. She conquered, she planted, but with a view only to her own power. It was no part of her policy to encourage the growth of new seats of the common stock, formally or practically independent of the

one great city. It was rather her object to bring the other Phœnician cities, her sisters, some certainly her elder sisters, into as great a measure of subjection or dependence on herself as she could compass. In her struggle with Rome her Phœnician sisters turned against her. She had done nothing to make herself loved either at distant Gades or at neighbouring Utica.

To this last form of dominion or supremacy, the rule of one commonwealth over other equal or older commonwealths of the same stock, the relations of the modern world supply no exact parallel.* But both England and Spain have at different times dealt, if not with sister states, yet with daughter states, too much after the manner of Carthage. The result all the world knows. One hope at least there is, that this peculiar form of national folly is not likely ever to be repeated. We cannot foretell what is to be. How long a barbaric empire may be kept, to whom it may pass if it fails to be kept, are matters at which it is dangerous even to guess. We have had, like Carthage, our War of the Mercenaries, with the difference that we have not had it at our own gates. As for the nearer question of our own flesh and blood in distant lands, the tie between the mother-land and its still dependent settlements may abide or it may be peacefully snapped. There is at least no fear of a new Bunker Hill, a new Saratoga, or a new Yorktown, between men of English blood and speech.

Among all the great powers of the past, Phœnician Carthage seems to stand alone, in being simply a memory, in having had no direct effect on the later history of the world.

* It must be remembered that in saying this we are speaking of a very modern world indeed. The relation of ruling and subject cities and lands was in full force in Switzerland till 1798, and traces of it lasted till 1830. I suppose that the *condominium* of Hamburg and Lübeck, over the district of Vierlande, has hardly lived through 1866; but it was in being in 1865. Middlesex perhaps did not know that it was a subject district to London; but it was till the very last changes.

It needs no effort to point out the endless ways in which Rome and Athens have influenced mankind for all time. Their impress is not only undying, but it is visible at the first glance. We see at once that the world that now is could not have been what it is, if Rome or Athens had never been. The law of Rome, the tongue and the thoughts of Greece, are essential parts of the civilization of modern Europe. But to Carthage, as far as we can see, we owe nothing. Directly we certainly owe nothing; indirectly Carthage has changed the history of the world in whatever proportion the history of Rome must have been other than what it actually was if Carthage had never been. To Carthage as Carthage, to the great seafaring power of the Western Mediterranean, we owe absolutely nothing. Carthage has had no effect on the speech, the law, the religion, the art, the general culture, of modern Europe. There is no such thing as a Carthaginian book. What would we not give for a record of the campaigns of Hamilkar and Hannibal in their own tongue? And we feel this the more keenly when we remember that all this, so true of Carthage as Carthage, is eminently untrue of the Semitic folk as a whole, that is only very partially true of the particular Phœnician folk. 'The letters Cadmus gave' were a boon of the kinsfolk of Carthage, though no boon of Carthage herself. And if we have no Carthaginian books, if we can hardly say that we have any Phœnician books, yet in the tongue of Carthage and Phœnicia, in the tongue common to Solomon and Hiram, we have books indeed. It is truly wonderful how, while other Semitic races, the Hebrew and the Arab, have influenced the world on a scale equal to that of Greece and Rome, the Phœnician has given us his one gift and has vanished, and that that form of the Phœnician which played the most brilliant part in the world's history has vanished without giving us any gift at all. The Saracen who swept away the younger Carthage has been our master in some things. The Phœnician who founded the elder Carthage has been our master in nothing, save

in the warnings, many and grave, which the history of his scattered dominion may give to us into whose hands a dominion of the like sort has fallen.

It is then a disappointment, and yet we feel that there is a certain fitness in the disappointment, when we stand on the site of Carthage, and feel how completely even the younger Carthage has become a memory and nothing more. Above all, if we come from any of the great Sicilian sites, from Syracuse or Girgenti or Selinunto, Carthage does indeed seem barren. Cities which alongside of the might of Carthage were but dust in the balance, Segesta and Tyndaris and Taormina, have more to show than the queenly mistress of the western seas. There is, as a matter of fact, a good deal to be seen at Carthage besides the actual site. There is something above the ground; there is a great deal that has been brought to light below the ground, and more diggings may be expected to reveal endless stores. But almost everything has to be looked for; there is nothing that at once forces itself on the eye as a living witness of what has been. There is no great building, perfect or in ruins, nothing like the Pillars of the Giants at Selinunto, nothing like the still standing temples of Pæstum and Girgenti. There is no long extent of wall to be tracked out, like the primæval walls of Ferentino or of Cefalù,* like the finished walls of Dionysios at Syracuse and at Tyndaris. And there is the further thought that, if there were such things, they could be memorials only of the city which the younger Cæsar set up, not of the city which the younger Scipio overthrew. The Carthage of Hannibal, at all events, can be got at only by digging. The site, we at once feel, is well-suited for a great seafaring city; we see still better that it is so when we learn the changes which have happened in the relations of land and water. But it is not one of the sites

* I should perhaps rather say *Cephalœdium*, as Norman *Cefalù* is down below.

which at once strike the eye. It is not one of those spots which make us say that, if great things did not happen there, they ought to have happened. Among the Sicilian sites it would best go with Himera, Selinous, and Kamarina, towns on hills of moderate height above the sea. Carthage sat on no such proud seat as Girgenti *la Magnifica* on the hill of Atabyrian Zeus, as Cefalù and Taormina on their mountain-sides, with their castles soaring yet again above them. Carthage does not proclaim her seafaring life like Syracuse again shut up within her island, or like the peninsula where Naxos once stood. Her own allies and subjects, Phœnician and otherwise, put her to shame. It is not in Africa, but in the isles of Malta and Gozo, that we find the abiding monuments of Phœnician religion. And compare Africa with Sicily, with that corner of Sicily which Carthage made her own, when she sat as head alike over her own elder sisters and over the older people of the land. Solunto sits on her rock as the guardian of the most cherished preserve of Canaan against the Sikel and the Greek. Trapani floats on the waves, with Eryx, mount and town, though no longer temple, soaring above her. Segesta, nestling among her inland hills, with her temple and her theatre, looks out on the distant sea. Palermo, though her twofold haven is choked up, still holds the centre of her Golden Shell, with her arc of mountains fencing her in, and the rock on which Hamilkar held his camp still guarding her. Forsaken Motya on her island, with the circling islands, which have displaced her once circling peninsula, teaches us better than any other spot how truly the life of the Phœnician was a life in and on the waters. Destroyed and never built again, she is still girded with her Phœnician wall, and she looks up to the more cunningly wrought Phœnician wall on Eryx. All these sites, in themselves far more taking, far more impressive, than that of Carthage, looked up to Carthage as their ruler. It is only on the spot where Carthage was not only a ruler but strictly a founder, in

her last and most stubborn stronghold of Lilybaion, that, on a site far less impressive than that of Carthage, we have, as at Carthage, as far at least as objects above ground are concerned, to search with curious eyes for the witnesses of the past. Yet there too the mighty ditch of Marsala, the ditch which Polybios stood and wondered at, the ditch which, hewn in its breadth through the hard rock, puts to shame our easier northern cuttings at Arques and at Old Sarum, abides, wherever modern improvements do not wholly choke it up, as a witness of Carthaginian power and skill such as Carthage itself has not to show.

Yet the site of Carthage, though disappointing both in itself and in its lack of historic remains, is not to be despised. It distinctly grows on the visitor. The hills are not very high; but they are hills. And we better understand matters as we come to take in, what does not strike us at the first glance, how thoroughly peninsular the site is. As we approach—at least as we approach directly from Europe—other objects are likely to strike the eye rather than the site of Carthage. The mountains to the south of the lake of Tunis with their bold outlines, the singular appearance of the lake, with the rim of land fencing it from the outer bay, and the *throat*—*La Goletta*—by which we pass from one to the other, the sight of Tunis itself, White Tunis, as the finish of the lake to the west—not to speak of the strange sights and sounds which greet the traveller who sets foot in Africa for the first time—all these things seize on the mind far more strongly than the not displeasing but not exciting piece of coast scenery which marks where Carthage stood. And nowhere does the traveller, at his first approach, on his first landing, find it harder to take in where he is. It is not very hard to get wrong in the points of the compass. There is a certain temptation to fancy that Tunis lies south of Carthage instead of west. There is nothing whatever to suggest that the low hill immediately behind Tunis is in fact an isthmus parting the lake of Tunis from another

lake beyond it. And there is least of all to suggest the existence of another lake somewhat to the north of the lake of Tunis, parted from the northern sea by another strip of land, perhaps a little thicker than that which parts the lake of Tunis from the eastern sea. The group of lakes is clear enough as soon as any rising ground is reached; but in the journey from the outer sea to Tunis by great steamer, small steamer, and railway, there is nothing to suggest any such save the lake of Tunis itself. But what is now the lake to the north, the lake known as *Sokra*, had a most important bearing on the position of Carthage. The rim of land which parts it from the sea is of later growth; in the great days of Carthage the lake was an inlet of the sea. The city thus stood on a distinct peninsula, with water on three sides. On the three hills within this peninsula stood Carthage and its surroundings, its suburbs and its nekropolis. It is hard to believe that the city proper ever spread over so great a space. The wall of Dionysios was, for military reasons, carried round the whole hill of Syracuse; but no one thinks that the whole of the vast surface of Epipolai was ever as thickly peopled as Achradina and the Island.

Of those hills one specially concerns the muser on the long story of Carthage. The *Bozrah* of Dido, the royal seat of Gaiseric, the official dwelling of the proconsuls of Rome, is now the hill of Saint Lewis. It was already crowned with his chapel when France was a foreign power; since the practical supremacy of France has in some sort restored Africa to the Latin world, it has been further crowned with the metropolitan church of the Primate of Algiers and Carthage. Another church and monastery crown another spur of the Bozrah. The central hill is crowned by a village, that of Sidi-bou-Said, once inhabited only by Mahometan saints, and which does not seem to have been much disturbed even now. But from another point of the same hill the palace of the Cardinal-Archbishop looks down on the country palace of the Bey,

the nominal prince of the land. He has withdrawn from his capital to lead the quieter life of those Carthaginian country gentlemen whose rich gardens and fields Agathoklês and Regulus so pitilessly harried. Furthest of all, in the north of the peninsula, parted by a wider valley than we have yet crossed, rises the city of the dead, *Djebal Khawi*, the Catacomb Hill of the maps. These three hills, and the low ground at their feet, make up the site of Carthage.

The main centre of interest is the *Bozrah*, the hill of Saint Lewis. I may without fear give it that name. Nobody, I believe, now doubts either that this is the akropolis of Carthage or that its true name is the same as that of the city of Edom renowned in the minstrelsy of Isaiah. The Greek name *Byrsa* is one of the many attempts to give a foreign name an appearance of meaning in one's own language. The name once given, the familiar legend, common to Carthage with a crowd of spots in all quarters of the globe, naturally followed. I will not stop to argue whether Elissa was, as the latest Phœnician learning teaches us, a goddess degraded into a queen; I am still less called on to disprove the tale that she cut an ox's hide into strips, like the Normans at Hastings and the English at Calcutta. Anyhow we may take her familiar name as that of the eponymous heroine of hill and city. As an akropolis, the *Bozrah* is but a lowly one; but it served the purposes alike of the elder and the younger Carthage. And it serves the purposes of the traveller as his point from which to look out on the hills, the lakes, the plain, the sea, the rim of land parting lake and sea, the distant mountains, and Tunis glistening in its whiteness, on the site in short of Carthage and her surroundings. We ought perhaps to rejoice at finding the city of Cyprian in some sort won back to Christianity and to *Latinitas*. But the modern buildings jar on the feelings. With all honour to the Cardinal's zeal, in this and in other matters, it would need a more successful work than his to reconcile us to the presence on such a spot of any buildings of the last three

centuries. A contemporary memorial of Saint Lewis, a trophy of the Emperor Charles, would be a part of the history of the place. Even the chapel of Louis-Philippe's day, when Frenchmen were strangers and pilgrims, seems less artificial, less out of place, than the metropolitan church reared where as yet no city has sprung up again. The thought of the holy King of France may perhaps stir our crusading feelings. How many Christian churches were overthrown to supply the mosques of Tunis and Kairwan with columns? It is among them that Carthage really lives. The great mosque of Tunis won for Christendom like the mosques of Cordova and Seville would be a worthier trophy than this easy display of the victory of Europe on the forsaken Bozrah of Dido.

Be this as it may, from the Bozrah we begin to understand Carthage. And one thing strikes us above all. With the sea on three sides of her, Carthage still needed artificial havens. Her sisters had no such need at Panormos and Motya. But here we look down on the double haven, just as it is described by Strabo and Appian. There is the outer haven, the merchant-haven; and there is the inner haven, the *Kothôn*, the basin, the haven of the war-ships, with the island in the middle, where once the admiral of Carthage had his official dwelling. It is whispered that they have been filled up and opened again, and not opened to their full size. Let it be so: if not of the right size, they are at least of the right shape and in the right place. If they are not the things themselves, they are at least very good models and memorials; and, in such a case, it is perhaps best to ask no questions. These artificial havens, whether Scipio and Belisarius looked on them as they stand or not, are the most speaking things in Carthage. They call up more fully than anything else the memory of what Carthage twice was. There we really see the past. There,

> In the still deep water,
> Sheltered from waves and blasts,
> Bristles the dusky forest
> Of Byrsa's thousand masts.

It is hard to call up the walls; it is hard to call up the temples; but the havens are there, and it is no great feat of imagination to fill them with the navy of Asdrubal sailing forth or with the navy of Belisarius sailing in.

The havens then force themselves on the eye; other objects at Carthage, save the outlines of the hills and the waters, have to be looked for. The Bozrah is full of remains; there are the diggings in its own hill-sides, and there are the precious collections in the museum. Dig near the surface, and you come to the Roman building which passes for the palace of the proconsul. Dig lower down, and you come to Phœnician tombs which tell us something of Carthaginian arts of construction. But there is nothing standing up, no castle like Euryalos, no house like Cefalù, no temple like Segesta. A fragment of the aqueduct does indeed stand up at some distance, a striking object on the road from the Goletta to Tunis. We can hardly apply the same words to the elaborate system of cisterns on each side, both those which have been lately turned again to modern use and those which still remain broken down and half covered up, the shelter of a few homeless Arabs. Besides these there is little indeed, save one precious memorial indeed of the younger Carthage which has been brought to light within these last years. This is a gigantic basilica with its attached buildings, of which nearly the whole foundations have been brought to light. I carried away a ground-plan; but I confess, even with the ground-plan, to be puzzled with the intricacy of its many colonnades and apses, at utter cross-purposes to one another. They must surely mark more than one change in design which may easily have happened during the eight hundred years' life of Roman Carthage, pagan and Christian. One point is marked as the baptistery. The thought flashed across the mind: here was Heraclius baptized. But that rite must have been done in Asia.

I have not attempted any minute topographical account

of Carthage. I had no call to make such an one. I visited Carthage and Africa on account of their relations to the history of Sicily. One must see the city from which the great fleet went out to Himera and to Syracuse, the city which sent forth the men who overthrew Selinous, and those who defended Eryx and the rock of Herktê. But I am not called on to examine Carthage in detail as I am called on to examine both Greek Akragas and Phœnician Lilybaion. As a piece of topography indeed, Tunis, which Agathoklês held, comes nearer to the historian of Sicily than Carthage which he never entered. There, Diodôros before me, I could read and write the story on the spot. In truth one cannot make such an account of Carthage as one can of Syracuse or Akragas, for the simple reason that there are not the same materials wherewith to make it. Nor can the traveller who does not set up his dwelling-place in the land get the same means for illustrating such materials as there are. I felt keenly the impossibility of getting a single illustrative book, Beulé or any other, either at Tunis or while things were still fresh in the memory at Palermo. I longed for something like the great *Topografia* of Syracuse, with its noble atlas, which had so well taught me my way over Achradina and Epipolai. And a little incident taught me that no great local help was to be looked for, at least not at the hands of the special servants of Saint Lewis. The first day that I was at Carthage, armed with a recommendation from the British consulate, I and my companions were received on the hill of the saint by a Carmelite friar—I think they are Carmelites—who on that day showed himself both courteous and intelligent. We made an appointment to come again another day, when he would take us to some of the more distant objects. The day came; after a visit to Susa and Kairwan, we came again to Carthage. But this time the religious man laughed in our faces, and asked how he could be expected to remember a promise of so old a standing as eight days. I did not expect that the doctrine of no faith with heretics would be so openly acted

on in these days. I am sure the Marabout, if that is his right description, whom Mr. R. B. Smith tells of in his Carthaginian book, would have treated us better. And I certainly felt more kindly towards two casual Saracens who greeted me friendly as I was walking alone near the sacred village.

But there are after all some advantages in the lack of remains at Carthage and in the lack of means for studying the few that there are. We can still climb the Bozrah; we can still look down upon the Kothôn; we can still go down and walk round it and look back through ages to the akropolis of Phœnician, Roman, and Vandal rule. We can walk to and fro at pleasure both along broad roads and along narrow paths among the sea-cliffs, ever taking in the outline of things from various points, now and then marking some special object suggesting thoughts. I shall not forget how, between the Kothôn and the merchant-haven, a small animal ran across my path, yellow and with the air of a rodent. It was the only free mammal I have ever seen either in Sicily or in Africa. I was not sorry that I did not meet any of the hyænas which may perhaps have vanished before the French occupation. But one would be glad to see signs of a higher animal life than that of lizards, *grilli*, and butterflies, pretty as they all are. Still less shall I forget a tower on the hill of Sidi-bou-Said, a tower overhanging the sea, a tower that was assuredly no work of Phœnician or Roman, but which may either have been placed there by the Saracen to keep out the Christian, or else may mark some short-lived occupation of Saracen ground by the Christian. But it is in some sort a gain to be relieved from the need, fascinating as the work is, of tracking out some fragment of wall or temple at every step. When one has not the time to spend both on the whole and on every detail which I have had at Syracuse and some other places, it is a certain relief to be able to fix the mind altogether on the whole. So it is at Carthage. On the Bozrah we wish the modern buildings away; on its fellow

hill the Arab village, which has come in the natural course of ages, seems quite in its place. But neither really interferes with our contemplation of the city of Hannibal and Gaiseric, its hills, its coasts, its havens, the lake and the rim that fences the lake, and which the Roman turned to his purpose in the last days of the Punic city. And we must once more remember that the history of Carthage, the interest and the instruction of that history, do not end when the wife of the last Asdrubal stood on the burning temple that crowned the Bozrah. What Roman and Christian Carthage was we may best learn among the endless columns of the mosque of Kairwan. Among them are a few which are the fellows of those that crown the columns of Saint Vital. Under the restored rule of the Roman Augustus, craftsmen were working in the same style in recovered Ravenna and in recovered Carthage. The wall of the great basilica which has been brought to light may well have glittered with the painted forms of Justinian and Theodora, sovereigns of the city won back from the Vandal no less than of the city won back from the Goth. And the same hand won back both of them. If we give Hannibal the first place among the leaders of warfare, if we hail him as the most loyal among the servants of commonwealths, a place not far behind him in his own craft must be given to the most loyal of the servants of princes. On the Bozrah, beside the Kothôn, if we think of Hannibal, we think of Belisarius too.

II.

FRENCH AND ENGLISH TOWNS.*

THERE are few forms of antiquarian research more agreeable than that of spelling out all that revolutionary havoc has left of an old French city, its walls and gates, if any are happily left, its streets, its churches, its houses, any other fragments of antiquity that may have been spared. Such an inquiry in a French town has some features of its own which distinguish it from the same kind of inquiry either in England or in Italy. The French town is in the nature of things more strange to the English visitor than any town in his own land can be; but it is far less strange than the Italian town. That it should be so follows from the geography and history of the two countries. England and France lie on the same side of the Alps, and they have a long history in common in which Italy has little or no share. For many artistic and historical purposes France and England form parts of one whole of which Italy is not a member. And yet, in the particular matter of towns, France and Italy have, as we shall presently see, some things in common as against England. As for the general look of the towns of the three countries, we may safely say that the site of a French town is commonly more picturesque than that of an English town, and that of an Italian town more picturesque than that of

* I have here for the most part reprinted the latest article which appeared in Longman's Magazine; but I have worked in an earlier and shorter article in the Saturday Review. I have also added part of another Saturday Review article as a note.

a French town. The city set on a hill is the exception in England; at least it seems to be so; for our cities, London to begin with, stand far more commonly on hills than we think at first sight. Only our hills are for the most part very small; those which carry the hill-cities of France are higher; those which carry the hill-cities of Italy are higher again. If in the Lombard plain the sites are sometimes even lower than in England, Tuscany with its living cities, Latium with its dead ones, takes it out the other way. In our land we wonder at Lincoln and Durham; they would not seem wonderful in the land of Le Mans and Laon; still less would they seem wonderful in the land of dead Tusculum and living Perugia. But for the picturesqueness of the city itself, France stands far above either England or Italy; Germany alone equals or surpasses it. The English or the Italian town will often equal or surpass the French town in the architectural merits of this or that building, and many an Italian town has noble displays of street architecture to which neither England nor France has anything to compare. But there is no denying that English buildings, unless they are real works of architecture, are apt to be ugly; and to speak the plain truth, the same is often the case with Italian buildings also. The outskirts of an Italian town are very often simply hideous; those of a French or German town are often rich in outline and grouping. In both France and Germany we are always lighting on buildings or scraps of buildings which we can hardly say are works of architecture, but which are what we call picturesque, that is pleasing in their outline. Many a French street is saved from commonplace by a projecting turret or corbelled window here and there, an effective feature which in this island is more common in Scotland than in England. After all the havoc of revolution, and the worse havoc of fussy mayors and prefects, the old towns of France contain quite enough of mere attractive scraps of this kind to make it well worth while to thread their narrow streets, even were their higher

associations, their great buildings and their historic memories, a good deal less precious than they are.

To compare more specially our English and our French town, the differences which strike the eye between them are in many points very obvious at the first glance, and the causes of them go very deep into the history of the two countries. One might perhaps say, as a very general statement indeed, that French towns differ less from one another than English towns do, and that it is more easy to make general propositions about them. There is a kind of French town, common in all parts of France, which in a manner sets the standard, and which may in some sort pass as the ideal French town. This is the old, respectable, steady-going, local capital, which has been the local capital from the beginning of things and which seems as if it must go on being the local capital to the end of things. It may or it may not have some considerable trade or manufacture; it is doubtless more flourishing if it has; but it would seem as if its essential being goes on all the same whether it has or has not. The population of these towns, old heads of duchies and counties, modern heads of departments, keeps an average a good deal higher than those of our county-towns which are not seats of manufactures. It keeps an average very much lower than that of our great manufacturing towns. Somewhere from twenty to fifty thousand would seem to be the right population for the worshipful old city on its hill or beside its river, which still keeps the name of the Gaulish tribe which dwelled there in the days of Cæsar. Anything very much larger or smaller than this strikes one as exceptional. There can hardly be more than half-a-dozen French towns which rise much above 100,000. I believe there are none which reach 400,000. That is to say, a town of the size of Hull or Bristol is rare in France; one of the size of Liverpool or Glasgow is unknown. But be it noted again that the few exceptionally great cities are in most cases among the oldest cities of the land, cities whose ancient importance

has never left them. Setting aside coast towns, the most remarkable case in France of a great town springing up to importance in modern times is Saint-Etienne. But Lancashire and Yorkshire can count off a dozen or twenty Saint-Etiennes in a breath. On the other hand, the local capital in France is very seldom so small as some of those old country-towns in England which are county and cathedral towns and little more. There can be very few heads of departments in France—hardly Tulle in Corrèze, though it is much smaller than most—which the most advanced reformer from Lancashire would speak of as 'miserable decaying villages.' At the same time such a reformer would most likely look on many of the old local capitals of France as somewhat old-world, somewhat behindhand, hardly up to the level of an advancing age. Even when they have advanced in the modern sense, they hardly show it so conspicuously to the eye as the advancing towns of England. Limoges, for example, ancient cradle of enamel, is still a flourishing manufacturing town. But, though some of its crooked streets have been cruelly straightened, it is still the old town of the massacre, the town of *Cité* and *Ville* side by side. Rouen has been called the French Manchester; but it is a very much smaller Manchester; it is a Manchester which is York as well, and in which, even after all modern changes, the York element is likely to seem to the stranger stronger than the Manchester element. And Rouen, though not like Lyons or Marseilles, is in France a city of quite exceptional size. Limoges, with about 50,000 inhabitants, is a more typical example of the old French city which remains an old city, but which has some modern importance as well. It is hard to find an exact English parallel. Norwich and Lincoln come as near as any, though Norwich is perhaps a little too large, and the modern prosperity of Lincoln is almost too modern. Still both are, like Limoges, ancient and famous cities, which count for something at the present day, though not for so much as Manchester or Lyons. Nottingham and

Leicester would rather rank with Rouen than with Limoges; and with them a difference comes in which is of the utmost importance in comparing English and French towns; they are not the seats of bishops.*

The French local capital thus differs in many things from anything which we are now used to in England. Two hundred years, one hundred years, back, it would have been easier to find a parallel; but even then the parallel would have been far from exact. Many facts both of history and of geography have combined to give a French town of this class an importance in itself which does not belong to the English town of the same class. We are apt to look on France as far more centralized than England; but the position, while eminently true in some points, is not true in all. No town in England is now in any real sense a capital, except London. I suspect that no town in England has been a capital for many ages, in the same sense that these old French towns still are capitals. They are centres of administration in a way that an English town is not. We have not, and most of us are thankful that we have not, anything like the prefect, sitting in the capital of the department and settling everything all round him. Many of these towns again are centres of the administration of justice in a way that an English town is not. They have judges and a bar of their own, more after an American than an English fashion. Many of them again are centres of education; the old local universities have perished, and one shrinks from the brand-new academies which have sprung up in their place; still there they are; the higher education is at least supposed to be fixed at many more points in France than it is in England. Lastly, not a few of these towns still remain social centres, in a way which is now

* No one surely will cavil because a few bishops had their chair at Leicester in the eighth and ninth centuries, or because Nottingham has latterly given a title to a mere suffragan. Those towns are not episcopal sees in the same sense as Lincoln and Norwich.

utterly unknown in England. People flock to London; they flock to watering-places; but there is no longer any English town in which the gentry of the surrounding country keep houses and spend part of the year. This fashion, the rule in Italy, is still common in France. It is the old-standing custom of the land. A decent, sensible French noble, who did not waste his whole time in dangling after the court, divided himself between his *château* in the country and his *hôtel* in the capital of his province or district. Nor has the fashion altogether died out, either among the *noblesse*, where any is left, or among other people. All this is foreign to English ways; we hardly understand the notion of a town-house out of London. And there probably was no time when the custom of dividing oneself between the country and the local capital was so general in England as it even now is in France, to say nothing of Italy. Still it was, even in comparatively late times, far more common than it is now, as many a good old house in our old county-towns shows. But it is significant that the greatest of the class, the palace of the Dukes of Norfolk at Norwich, has utterly vanished. This last, it must be remembered, was a real town-house, like an Italian *palazzo*; it was something quite different from those cases where, often owing to the continued habitation of a castle, the house of a nobleman or wealthy esquire stands close to a town, most commonly a small town which grew up round the castle. These are not town-houses like the Norwich palace, but country-houses with a town at their gates.

We may add another point. In France the civil head of a district is much more usually the ecclesiastical head than it is in England. The dioceses, as a rule, coincide with the departments, while English dioceses, as a rule, do not coincide with counties. The bishops' sees, as a rule, but with a much larger number of exceptions, are placed in the head town of the department. It is far less common in France than it is in England to see, as for instance in

the three neighbouring departments of Orne, Calvados, and Manche, the chief towns, Alençon, Caen, and Saint-Lo, without bishops, while the bishops' sees are placed at the smaller towns of Séez, Bayeux, and Coutances. And it is almost unknown in France for great towns to be without bishops, as Birmingham and Leeds are still, as Manchester, Liverpool, and Newcastle were a few years back. But this last is almost the same thing as to say in other words what has been said already, that the greatest towns in France have commonly had a continuous greatness from the beginning of things.

In all these various ways the old French city is more of a capital, more of a centre, it has more of a life of its own, than the English county-town. The English town, if it has become a seat of manufactures, has in many things shot ahead of the French city. If it has not grown in that way, it has most likely lagged behind the French city. In neither case is it, like the French city, a real local capital, and not much more. The local capital, containing the town-houses of the local gentry, has ceased in England to have any being at all.

But if from England we go further and take in the whole of Britain, we shall find a much nearer parallel to the French city. Edinburgh, smaller than the exceptionally large French cities, is much larger than the average of the class of which we have just been speaking. But it has more in common with them than anything in South Britain has. A city of no special commercial or manufacturing importance, which lives largely on its past memories and position, which has its university, its law courts, and many things which still stamp it as a capital and distinguish it from a mere county-town, is very much like one of these French cities on a greater scale. We say on a greater scale, because those French cities which equal or surpass Edinburgh in population, do so by virtue of commerce or manufactures, and so put themselves out of the class of those towns which are local capitals and nothing else.

When we have reached the comparison with Edinburgh, though it is by no means a comparison to be carried into minute detail, we have touched the root of the matter as regards the comparison between English and French towns. Edinburgh is surpassed in size and population by many other towns in Great Britain; yet we feel that there is something about Edinburgh which there is not about the others, simply because Edinburgh has been, and for many purposes still is, the capital of a separate kingdom. So were the old French cities of which we are speaking, capitals, sometimes of kingdoms, in any case of duchies and counties which practically formed independent states. In every respect but this, Edinburgh is not a good parallel to choose; for Edinburgh is not really an ancient city; it is only a comparatively modern capital of Scotland; other towns both of England and Scotland far surpass it in age and in historic dignity. As a fortress, Edinburgh is ancient indeed; as a royal city, it is young, not only beside York and Winchester, but beside Dunfermline and Stirling. We feel almost at a glance that Edinburgh—and for the matter of that, Stirling too—is not a city which has kept its being as a city from time immemorial. It is plainly a town which has grown up round a fortress, a greater Richmond or Dunster. Still, as a matter of fact, Edinburgh is the one city of Great Britain which carries about it the feeling of being a capital in the strict sense, the head of a land which for many purposes is still distinct. Less venerable in the remote past than York and Winchester, for that very reason it keeps about it the memory of the dignity which in their case is so ancient that it has wholly passed away. Yet from York we cannot see that all special dignity has passed away. The city which unites municipal dignity second only to London with ecclesiastical dignity second only to Canterbury still keeps an unique place in the land.

It is from failing to grasp the history of France and its cities as a living thing that to many it will doubtless seem

strange to claim for Le Mans or Poitiers, or even for Lyons and Rouen, the same position as capitals or former capitals which on the face of it belongs to Edinburgh. We are not here concerned with the special story of the growth of the French kingdom, its swallowing up both of its own vassal states and of states which were not even its vassals. We have to take a glance at the history of Gaul from a much wider point of view. The old city which down to the Revolution fully kept its position as a local capital, from which the Revolution has not been able wholly to take away that character, is, as a rule, immeasurably older than any English town, and it held for ages a place immeasurably greater than any English town ever held. Its history is stamped on the spot itself, on its site and on its buildings. We said that Edinburgh had grown up round a fortress; the French city has not grown up round a fortress; it has grown out of a stronghold, which is quite another matter. The site has been a place of human habitation and the centre of a more or less organized society as far back as history or trustworthy tradition can guide us. In days before recorded history some Gaulish tribe fixed its central point of meeting and defence—the words *city* and *town* may best be kept till a later stage—on some point which nature had made a natural centre for meeting and defence. The island or peninsula in a river—the table-land rising high and steep above surrounding hills and dales—above all, the strong hill with the river flowing at its foot or, better still, girding three of its sides with its winding stream—on sites like these the old folk of Gaul had fixed their strongholds long before Cæsar came among them. We must not look, as in many parts of Italy, for almost every height to be crowned with a town, however small, fenced in with immemorial walls and bulwarks. Gaul lagged behind Italy in political developement; the crowd of towns, independent or united only by a federal tie, had not supplanted the ruder but more lasting organization of the tribe with its wide territory, and for the most

part its single centre. But that centre, as a rule, has never ceased from that day to this, to be in one form or another, a place of dwelling, a seat of dominion. Changes and revolutions have passed over it, but it still abides on its ancient site, keeping in one shape or another its ancient name.

First of all changes came the rule of the universal conqueror. The Roman came; he came not to destroy, but to develope. The Gaulish stronghold, the head of the tribe, itself for the most part became the Roman city; the limits of the tribe became the limits of the jurisdiction of the city. Here and there the site was changed to some neighbouring spot. As men long before came down from Dardanie to holy Ilios in the plain, as men long after came down from the elder Salisbury to the younger, so at the Roman bidding men came down from the stronghold of Bibracte, from the high table-land of Gergovia, to the lower but still fairly lofty sites of Augustodunum whose name still lives in the shortened shape of Autun, of Nemetum whose name has given way to the more picturesque style of the Bright Mount, the Clermont of the preaching of Urban. Here the old sites remain forsaken, like Uleybury looking down from the height of Cotswold, like the fallen walls of Worlebury overhanging the Severn Sea, like the empty ramparts of Norba on the Volscian hills looking down on no less empty Ninfa at their foot. But more commonly the old place of meeting and defence remained the place of meeting and defence under the rule of Cæsar. The rude defences of the Gaul gave way to walls raised with all the skill of Roman engineers. The mighty stones in one age, the alternate ranges of brick and stone in another, sometimes tell their tale how, after days of civil strife or foreign invasion, later Cæsars had to build again what earlier Cæsars had first built. Within and around the walls arose all the buildings, all the works, which the highest civilization of Rome called for. Streets were laid out; public buildings were raised,—the theatre, the basilica, the forum

with its surroundings; the proudest site within the walls was hallowed to some patron deity, and the pillared front of the temple crowned and sanctified the height. Beyond the walls, rising tier above tier from the ground, or wrought, when it might be, in some hill-side of convenient shape, the amphitheatre stood ready for the bloody sports which the Roman carried with him alike to the soil of the Gaul and to the soil of the Greek. The arches of the aqueduct bore the needful supply of water from some hill more favoured than that on which the city had arisen. From the gateways—the gateways with their double arches, their flat pilasters, their ranges of windows, such as we see at Nîmes and Autun and in the crowning glory of the Black Gate of Trier—the straight paved road, its distance marked mile by mile, set forth to bind the city to the other cities of the Roman world, to offer an easy path alike to the armed legionary and to the peaceful merchant. On each side of the path were ranged the tombs of past generations; beyond the walls, safe, for some ages at least, in the protection of the Roman Peace, gathered the pleasant villas and gardens of Roman settlers and of natives who had become Roman in all but blood, full sharers in that local and municipal life which Rome knew how to extend to the cities of her dominion.

Thus the Roman town grew in a marvellous way out of the hill-fort or the river-fastness of the Gaul. Very commonly it kept the ancient name of that hill-fort or river-fastness, *Lutetia* of the Parisii or *Durocortum* of the Remi. Sometimes it bore a name in which the style of a Roman ruler is strangely fitted with a Celtic ending, *Juliomagus*, city of the Andecavi, or *Augustodunum*, city of the Ædui. Sometimes as at *Constantia*, *Aureliani*, and *Gratianopolis*, it takes a name wholly Roman and Imperial, with no native survival cleaving to it. Most commonly in the South, now and then in the North, the name of the town itself has lived on to this day. *Burdigala* and *Tolosa* keep to this day with but little change the names which they have

borne from the beginning of things. But in the North the name of the town itself most commonly gave way to the name of the tribe of which it is the head. *Lutetia Parisiorum* becomes *Civitas Parisiorum*, and then in various stages simply *Parisii*, *Parisius*, *Paris*. The tribe, the territory of the tribe, and the town which was the head of the tribe, became hardly distinguishable in Latin speech. In the course of ages the popular dialect came to distinguish town and land by corrupted forms of the tribe-name fitted with different endings. The land of the Andecavi becomes *Anjou* and their city becomes *Angers*; the land of the Cenomanni becomes *Maine*, while their city bears the memorable name of *Le Mans*, city of famous counts and famous bishops, but before all things city of the *commune*.

Whatever form the name took, the continuous life of the town was not interrupted; and in any case an ancient name, Gaulish or Roman, remains to this day. Next comes another stage. The rule of Cæsar still lasts, but the rule of Cæsar is no longer bound up with the worship of the gods of the Roman capitol. A new creed spreads itself over the land; a persecuted sect comes forth from its hiding-places, to take spiritual, and in some measure temporal possession also, of the Roman world. Gaul, which had given the Church so many martyrs, was not slow in accepting the Christian faith, at least within the walls of her chief cities. Most of those cities were soon to draw no small part of their later fame from the presence of some martyred or sainted bishop. Tours and Poitiers had become illustrious in the annals of the Church, while Athens was still almost wholly pagan, while Rome herself was at least as much pagan as Christian. While at Rome the Christian churches grew up only in the outskirts of the city, while, after pagan worship ceased, the pagan temples still stood, if shut up and empty, in Gaul the zealous bishops of the fourth century supplanted the holy places of the decaying faith by the new holy places of the growing faith. The greatest temple of each city, the home of the patron god, seated commonly on the proudest

site within the walls, gave way to the special church of the bishop, the spiritual centre of that extent of territory which had once marked the possessions of the tribe, which then marked the civil jurisdiction of the city, and which now, without changing its bounds, marked the spiritual jurisdiction of the city's chief pastor. Here comes in one of the great facts of historical geography; the map of Roman Gaul survives, with but few and those simple changes, in the ecclesiastical map of France down to the great Revolution. A few dioceses in the North, many in the South, have been divided; many have been united to others in modern times; but the process which is really destructive of continuity, the translation from one seat to another, has ever been rare. Within the city itself the temple was changed into the church, or more commonly it supplied the materials for its building. Walls and columns changed places; the shafts which had supported the entablature of the portico which sheltered the dead wall of the *cella* were now taught to come within the shelter of the roof, to part the long nave from its aisles, to bear aloft, perhaps the long drawn cornices of Rome, perhaps the more living arcades of Spalato and Ravenna. The tall campanile was not yet; the display of artistic skill kept almost as wholly within the building as in the elder form of architecture it had kept without. But beside the church, there often arose, though far less universally than under the milder sky of Italy, the distinct baptistery, of which precious examples still linger at Poitiers, at Aix, and at Le Puy. The face of the city was thus changed, it was hardly improved, by the substitution of the long unbroken body of the basilica for the more stately columns of the temple. But the votaries of the new creed found a home within the walls of their seats of worship, such as the votaries of the elder creed had never found within theirs. And around the church arose the dwellings of the bishop and his clergy, a class of men destined to play no small part in the history of the city and of the land.

Next, on the Roman city, now become a Christian city,

came the flood of Teutonic invasion. The rule of the Burgundian and the West-Goth in the South, the rule of the Frank in the North, supplanted the rule of Cæsar. The effects of the change differ widely in different parts of the land. The connexion with the seat of Empire, with Rome, Old or New, first became nominal and then was wiped out altogether, till the day when the Roman diadem was set on the brow of a Frankish king. In the South, where the Burgundian and the Goth dwelled, but where the Frank, when his turn came, commanded only from outside, the life of Rome went on with far less of change than it did in the North where the Frank really settled. But in neither case was the Roman life ever blotted out; in no city of Gaul were the Roman inhabitants slaughtered, enslaved, or driven out; in no case was the city swept away till its very site was forgotten; in no case were its walls left standing with no house and no inhabitant within them.* The change was great; it was no doubt terrible; but in no case did it amount to an utter break with the past. The cities kept their ancient names, and they kept their ancient buildings for later ages gradually to destroy. The Gaulish hill-fortress, the Roman city, lived through the storm. It remained a seat of habitation and of dominion; it kept its name, its position as the head of a district, in the South it even kept large traces of its Roman municipal organization. Above all, it kept or won back its place as a seat of spiritual rule, the seat of a chief church and its pastor. The cities of Gaul have lived on uninterruptedly from the days of Sextius and Cæsar till now. The episcopal churches of Gaul lived on uninterruptedly from the days of primitive Christendom to the great Revolution.

There is thus no time in the life of a Gaulish city when we are left altogether without notices of its history; but there are several centuries during which it is very hard to call

* Such a case as that of Jublains (Diablintes) in the department of Mayenne is not due to the invasions of the fifth century, but to much earlier warfare.

up any clear notion of its outward look. We know pretty well how it looked in the fifth century; we know pretty well how it looked in the eleventh; we have abundant surviving remains of the buildings of both those ages. For the long period between them we have little to guide us; the remains of its buildings are few; they are very precious when we light on any. But we know enough to say that the city was still girded by its Roman walls or by walls built in close imitation of the Roman fashion; churches and monasteries arose within them and beyond them, built also as nearly as the decaying skill of the time would allow after the same Roman fashion. And, chief of all, in nearly all the great cities, the bishop's church within the city, on the height or in the island, found its rival in the shape of the great abbey without the walls, bearing commonly the name of some illustrious and canonized bishop of the see. Saint Ouens at Rouen is an example known to all; within the modern city, within the mediæval wall, it stands outside those clearly marked lines of the Roman *chester* which show how far Rothomagus reached when Saint Ouens first arose. And the bishop's church within, the abbot's church without, the many smaller churches of monasteries and parishes, now begin to take to themselves a feature unknown to earlier times, and which has affected the general look of Christian cities and lands more than any other one invention. It is hard to conceive a town of Western Europe or a wide landscape in Western Europe in which the church-tower does not form a main feature. By the end of the time of which we speak, the soaring bell-towers of the churches, tall and slender after the model of Italy, must of themselves have given the cities of Gaul, as of every other Western land, a wholly different general look from any that they could have had in the days either of the pagan or of the Christian Roman.

By the eleventh century, and indeed long before the eleventh century, these ancient cities had, as in the old days of the Gaulish tribes, again taken their place as heads of

independent political bodies. The rule of the Frankish Kings and Emperors had been so utterly broken in pieces, each duchy and county had won for itself so complete a practical independence, that the head city of each fairly ranked as a capital. It was the head of a district which had a separate being; it was the seat of a prince who, whatever might be his formal dependence on a higher lord, practically exercised all the rights of an independent sovereign. And alongside of all this there was growth of another kind, the growth of the communal spirit, which, though it never raised the French towns to the rank of independent commonwealths like those of Italy, yet won for them large municipal privileges and gave birth to a vigorous and abiding municipal life. The mediæval history of these cities now begins; they put on the outward shape of which we everywhere see greater or less traces. These three elements, the Church, the prince, the civic body, flourish side by side, and each, in its way, helps to increase the outward splendour of the city. The head church and the smaller churches with their attached buildings are enlarged or rebuilt, sometimes over and over again, in the varying taste of successive centuries. The castle of the duke or count rises, sometimes to be supplanted by, sometimes to see growing up by its side, the more peaceful palace, with its clustering turrets, its stately hall, the tall, short, mass of its *sainte chapelle* rising perhaps over every other part of the princely dwelling. Municipal and other civil buildings arise; the *hôtel de ville*, the palace of justice, the houses, built in the style of successive ages from the Romanesque of Le Mans to the advanced Gothic of Jacques Cœur at Bourges—the dwellings of wealthy merchants, of nobles who have one of their homes within the head city of their province—all gather around the two crowning objects of all, the church of the bishop and the castle or palace of the prince.

Under all these influences acting together, the mediæval cities of Gaul grew in extent as well as in splendour, and it is an exceptional case when Autun, like Rome

in later days, shrinks up far within the compass of her elder walls. As a rule, the model is Rome in an earlier stage, when the wall of Servius became too narrow, and the wall of Aurelian was needed to fence in the new extent of the full-grown city. The Roman wall ceases to be the boundary of the city; perhaps it vanishes altogether, leaving only the indelible impress of the camp with its four limbs on that part of the city which the wall once girded. A new wall arises, fencing in the suburbs which have grown outside the older defences, a process which in some cases has been repeated more than once. These later walls have commonly given way to modern *boulevards*; here and there a city, like Chartres, keeps all or part of these comparatively modern gates and bulwarks. But the Roman wall does not always wholly perish. Sometimes, as at Sens, it remains as a wall, all beyond being still suburb. Sometimes, as at Evreux and Bourges, it has been worked into later buildings; at Bourges its round bastions serve happily as bases for the turrets of the house of Jacques Cœur and for the apse of a chapel near the metropolitan church. In the most instructive cases of all, the old city, within its protecting wall, lives on and keeps its own name and its own being, while a new fortified enclosure arises beside or below it. There is *la cité*, the immemorial capital, the ecclesiastical and aristocratic quarter, and there is *la ville*, the modern dwelling-place of upstart burghers. So it is at Limoges; so it is, in a more striking shape, in the wonderful city of Le Puy. There the *cité* still sits on the height of the rock, with no small remnants of the walls that fenced in that marvellous church, raised high on soaring arches, with the dwellings of priests and nobles around it. There too is the lowlier *ville*, home of burghers and friars, gathering at the foot and on the slopes of the hill. One almost wonders that one does not find, as at Chur and at Syra, one form of worship practised at the top of the hill and another at the bottom.

Thus our French city grew. One by one the duchies and counties ceased to be independent; a variety of processes united them to the crown of Paris; their head cities ceased to be capitals of states, of powers with full political life. But they did not cease to be capitals. The duke or count often went on, still holding his castle or palace, still keeping his court as the centre of the local nobility; for such purposes it mattered but little that the duke was no longer a vassal sovereign, but a prince of the royal house holding the duchy as an appanage. Even where this state of things never existed, or after it had passed away, the city by no means lost its character of a capital. The system of the old monarchy, highly centralized on one side, was the opposite to centralized on the other. The change was not so much that each duchy and county was merged in the kingdom as that the king took the place of each separate duke and count. The city remained a capital; it remained a local centre of society, administration, education, and law, in a way that we may safely say that the English city or county-town never did. Yet it is not unpleasant, when we see that our old towns are in many things inferior to the old towns of many other lands, to remember that whatever is taken from each particular place is added to the whole kingdom. Why does both the princely and the civic element show itself in greater splendour in a French than in an English city? Simply because in England the kingdom was more united, because the general government was stronger, because the English earl or bishop was not an independent prince, nor the English city an independent commonwealth. Why are the grand town-houses of nobles and rich merchants so much more common in French than in English towns? Because in England a man could live in safety in a peaceful manor-house, in a house in an unwalled village, in times when in France none but the master of a strong castle was safe beyond the walls of the fortified town. And in one point we may fairly boast that English

cities have a marked superiority over French. As to the comparative merits of the great churches of the two lands—remembering that, in this matter, Normandy largely goes with England and not with France—the question is largely a matter of taste. An English and a French minster aim at different ideals, and their beauties are of different kinds. But there can be no doubt that the ecclesiastical quarter of an English city—the close, the precinct, the college, the abbey—has a distinct charm of its own. It has a separate being in a way which is seldom—it would be dangerous to say never—found in France, where the cathedral or other great church is so much more commonly encroached on by mean secular buildings. Here again we have an historic cause. In the immemorial city, where the bishopric was as old as the early Christian Empire, there was no room for a distinct ecclesiastical quarter like that of Wells or Lichfield, where the city simply grew round the church, or even where, as at Norwich or Chichester, the bishop made his way into an existing city, but came in as a great potentate, almost as a conqueror.

Thus the French city grew to be a contrast to its English fellow, and the havoc of revolution, the later havoc of modern improvement, have brought in fresh points of difference. It is grievous to take an old description, an old picture, of a French city, and to see what has perished—walls, castles, houses, above all churches. But, after all, the real wonder is, not that so much is gone, but that anything is left. In the matter of churches, there is one striking difference between an English and a French town. Our first impression is that a French town has much finer churches than an English one. To some extent this is true; and the fact arises from several causes, one of which is a difference of architectural fashion. An English parish church has a type of its own, one wholly different from the type of a minster, but which may be just as good in its own way. Even when it is of positively great size, it very seldom affects the character of a minster. We may perhaps

regret that it does not; for the purely parochial type better suits a small church than a large one. In France the parish church, sometimes even when it is of no very great size, constantly follows the pattern of the minster, and often with much success. And it may be that this preference of a higher type of building in the French town has in some measure sprung out of its greater local dignity. The other cause comes from an historical accident. The appearance of superiority on the part of the French churches is often due to the fact that we are comparing churches of different classes. The great churches of the French towns have much oftener than in England been collegiate, monastic, or, owing to the suppression of bishoprics, even cathedral. In an English town the monastic churches have largely perished, wholly or partially, while the parish churches have commonly lived on. In France, while many monastic churches were destroyed, more were spared than in England. When therefore religion was restored after the storm, when some, but not all, of the churches were restored to religious uses, it was naturally the larger and finer ones, commonly monastic or collegiate, that were set up again, while the parish churches, smaller and less stately, have very largely vanished.

Such has been the course of a French local capital, from the Gaulish hill-fort to the modern city, flourishing or decaying, it may be, according to a modern standard, but in any case keeping about it large traces of its ancient history, its ancient dignity. There are other classes of French towns, as there are other classes of English towns; but it is these old capitals which form the most instructive contrast with that class of English towns which comes nearest to their likeness. Setting aside a few manufacturing and seafaring towns of modern growth, there are few towns of any importance in France besides the ancient capitals. The English market-town largely came of itself. It was one of a number of settlements which outgrew its neighbours, and which became a town, sometimes a considerable town,

while its neighbours remained mere villages. The smaller French towns seem seldom to belong to this class; they have more commonly grown up round castles or monasteries, as have many in England too, though to nothing like the same extent as in France. Caen is an almost solitary example of a town which has been of great local importance ever since the eleventh century, but which cannot trace its history further back than the eleventh century. Say tenth for eleventh, and Caen has a crowd of fellows in England. Many of the English local capitals, if we can call them capitals, have no claim to British or Roman origin at all. They are of English origin in the strictest sense; they are, like the mere market-towns, Anglian or Saxon settlements, homes of communities, which some accident of history, often the foundation of some fortress, caused to grow from villages into cities. Many English towns stand on the site of Roman towns, but very few, if any, English towns can trace the same uninterrupted connexion with primitive times which is still plainly written on the ancient cities of France. It is by no means clear that the Roman towns in Britain so generally occupied Celtic sites as they did in Gaul; it is quite certain that few or no English towns can show the same continuous existence from Roman times which so many French towns can. A great gulf, an interval of historic darkness, a period given up to the conjectures and inferences of ingenious men, divides their latest recorded Roman existence from their earliest recorded English existence. No existing English, or even Welsh, bishopric pretends to trace an uninterrupted episcopal succession further back than the sixth century. That any English town retains a traditional, or even an imitative, Roman constitution, is a mere dream without a shadow of proof. Nay, it is not even certain that the sites of the ancient Roman towns were continuously inhabited. Many of them are utterly forsaken; others have changed their names; of those which have kept their names several are suspected to have changed their sites. It is the history of

the bishoprics of England and France which supplies the best means of comparison and contrast. Of course we set aside the sees founded in England by Henry the Eighth and in our own day, just as we set aside the more recent bishoprics of France. We have no concern with the see of Manchester or with the see of Versailles. We have no concern even with the see of Gloucester or the see of Montauban. Our ancient English dioceses, like those of France, represent the civil divisions which existed at the time of their foundation; but then in England those civil divisions were not the districts of Roman cities, but were ancient English principalities. The sees were by no means necessarily placed in Roman cities. When they were, they can trace no unbroken succession from the bishops of Roman times. London and York had doubtless been episcopal seats in earlier times, but the English bishops of those cities were in no sense successors of the Roman or British bishops. A wide gap, the introduction of another people and another language, the introduction and the overthrow of another religion, cut off the two series from one another. But in truth an English bishopric had no such necessary connexion with a city as a continental bishopric had. The head church, served by the bishop's monks or clerks, was placed somewhere, but it was by no means necessarily placed in the greatest or most ancient town in the diocese. Selsey, Ramsbury, Sherborne, Wells, Lichfield, Elmham, Dunwich, were episcopal sees and little else, and all of them have, either for a time or for ever, had their episcopal rank taken from them. Dorchester—the Oxfordshire Dorchester—was a Roman site, but it had no continuous civic existence like Chartres or Angers. None of these cities have anything like the history, none of them have anything like the outward appearance, of those cities in France where the Gaulish hill-fort has gradually grown into the modern city. At Exeter and Lincoln we do see an outward appearance which may be fairly likened to that of the French type of city; but the historical analogy fails us.

Lincoln and Exeter were Roman cities; Exeter, alone among English cities, has lived on with an unbroken life through all stages of the history of the island. But as bishoprics they date only from the eleventh century. Colchester, *Camalodunum*, has, of all the towns in England, the best claim to assert a continuous English occupation since Roman times. But compared with Poitiers and Le Mans, its history seems cut short at both ends. It was a Roman colony, but it was not a primæval British settlement. It is a Domesday city: it remains an English borough; but it has never been the seat of any but a suffragan bishopric: for ages at least it has not been the head of a shire.

In France again, as has been already hinted, it is the old cities, the immemorial ecclesiastical and civil capitals, which are, to a very great extent, the seats of modern commerce and manufacture. We need not speak of the age of Massalia, the Hellenic commonwealth which braved the might of Cæsar, the Free City of the Empire which braved the might of Charles of Anjou. But Lyons, Rouen, Bordeaux, Amiens, Nantes, are all examples of modern industry and commerce finding their homes in the abodes of ancient counts and bishops. Cherbourg, Brest, Toulon, though not equalling the associations of the others, are all ancient and historic towns. Havre alone is modern, but it has lived to what is in many eyes the respectable age of three centuries. In England, on the other hand, London stands by itself as keeping anything like that continuous importance which Paris shares with many other French cities. Our greatest towns are, as a rule, neither the seats of Roman dominion nor yet the seats of Old-English bishoprics. Manchester and Leeds bear names which connect them with very early history, but they have no continuous greatness. Our old havens have mostly sunk into insignificance; some of them have ceased to exist. Southampton and Dover alone can pretend to any continuous life. Of our cities famous in the middle ages, Bristol and Norwich almost alone have kept up

any unbroken importance, and of Bristol and Norwich, as the modern importance is quite secondary, the antiquity is quite secondary also. Throughout England our connexion with early times is far more strongly shown in institutions than in sites or buildings. In France it is the other way.

The contrast then is striking in every way. We may sum it up by saying that a French city, the seat of a bishopric, the capital of an ancient province, can commonly show an uninterrupted existence, an uninterrupted importance, from the very beginning of civil and ecclesiastical history. The origin of the town is lost in the maze of præhistoric times; the origin of the church is lost among the early legends of saints and martyrs. The city keeps either its own Celtic name or the name of the Celtic tribe of which it was the head. In England, on the other hand, cities and churches are all of comparatively recent date. Not more than two or three can even pretend to an unbroken life from British or Roman times. Names have changed, the seats of dominion have shifted, the seats of ecclesiastical and of civil rule do not coincide, they often have never coincided. The continuous local history of our cities begins, as a rule, with the seventh century or often much later. The recorded continuous local history of a French city goes back to Cæsar or Sextius, and the days of Cæsar or Sextius were not its beginning. Everything in England points to a thorough uprooting of old institutions, to the forsaking of old sites, to a complete destruction of all organization and governments, which left a new nation to make a new start. That is to say, the English conquest of Britain was something wholly different from the Frankish, Burgundian, Gothic, conquests of Gaul. Without making this comparison, without carrying it out into minute details, no one can understand the phænomena of our early history. Now this is just what our ingenious theorists, our genealogists who trace our pedigree up to our British ancestors, our clever men who

stand up for the Roman origin of English municipalities, never take the trouble to do. History, like philology, to be really philosophical, must not be conjectural, but comparative. A comparison of Britain with Gaul or Spain will teach more than ten thousand ingenious guesses. It is written on the face of the two countries that the English conquest of Britain places a complete break—what philosophers call a 'solution of continuity'—between the days before and the days after it. The Frankish conquest of Gaul, with all the important changes which it brought about, made no such complete break. In a word, Englishmen are Englishmen, with a certain Celtic infusion. Frenchmen, notwithstanding a certain Teutonic infusion, are Celts to this day.

ROMAN ANTIQUITIES IN GAUL AND BRITAIN.

The historic position of Roman remains in England and on the continent are quite unlike one another. Among the nations of the Romance speech, Roman remains are not only far more abundant and in far better preservation than they are here; they occupy a wholly different historical position. No doubt there are wide differences in different parts even of what is now France. The nearer we draw to the Imperial centre itself, the more numerous are the Roman buildings, and the greater the influence which they have had on the style of later buildings. A perceptible difference in this respect may be felt between Normandy and England, between Normandy and Aquitaine, between Aquitaine and Provence. And of these the gap which separates England and Normandy is the narrowest of all. The reason is plain; the Norman settlement in Neustria was much more like the English settlement in Britain than it was like the Frankish and Gothic conquests elsewhere. The Scandinavian settlers kept the sites of the Roman cities and gradually learned the Romance language; still the continuity between Roman and later times is much feebler in Normandy than it is in other parts of Gaul. Normandy, in this, as in many other respects, presents a state of things intermediate between the phænomena of the continent and those of our island. Setting that transitional district aside, we find the position of Roman remains, and their historical value, altogether

different in England and on the continent. In France, and much more in Provence and Italy, the connexion with Roman times is continuous. It goes on in language, in nomenclature, in art, in institutions, in everything. No impassable gulf separates the present from the Roman past; the change has been great, but it has been perfectly gradual. We suspect that the great French Revolution, which a few living men can remember,* was really a ruder snapping of ties between past and present than any Gothic or even Frankish conquest. The actual Roman remains are constantly found standing above ground; sometimes Roman buildings remain in so perfect a state that they can be applied to some modern use. In England, Roman remains standing above ground are rare and commonly fragmentary; the excepted class is only another illustration of the same general law. Such are places like Pevensey and Burgh, where the Roman walls of a forsaken city remain perfect or nearly so. There is no Roman building in England which can be applied to any modern use; indeed the great mass of our Roman antiquities consist, not of buildings at all, but of inscriptions and objects of various kinds, themselves for the most part quite fragmentary, dug out of the earth on Roman sites.

In France then the interest and importance of Roman and of mediæval remains is exactly the same in kind. Which is the higher in degree is a question which will be differently answered according to the respective tastes of different inquirers. Each alike is part of the continuous history of the country; no impassable gulf separates one from the other. Who can venture to say when the Roman style of building came to an end even in Northern Gaul? The masonry of many churches, down quite to the eleventh century, is still essentially Roman. No doubt a man of special skill in Roman art would despise it as very poor work when compared with work of the age of Augustus, perhaps even with work of the age of Constantine. But it is Roman work all the same; it is a style of masonry which had gone on in use without any break, without any one moment of change to divide one period from another in any marked way.† In Gaul, in short, even in Northern Gaul, 'the Roman style' never actually died out till it was lost in the later style of the middle ages. So again in the South, nothing is more curious than to mark, say in the great collection at Toulouse, the way in which the Roman sarcophagus gradually grew into the mediæval tomb. There are all sorts of intermediate types, showing Roman forms of art—corrupted if any one pleases, but still Roman and not anything else—going on when

* [None now; some could in 1868.]

† [There are districts, some in Savoy for instance, where we can fairly say that a Roman manner of building has gone on to our own time.]

not only the Roman religion but the Roman dominion had died away. We have nothing like this in England. While the Christian Goths of Aquitaine, in adorning their tombs, continued the arts of Rome as well as they knew how, the heathen English in Britain were burying in the same purely heathen fashion in which they had buried at the mouth of the Elbe. A gap, a gulf, a period of thick darkness, cuts off Roman and British things in this island from the earliest monumental records of our own nation. In Gaul the 'mos Romanus' lived on till it was merged in the great architectural innovations of the eleventh and twelfth centuries. In England the 'mos Romanus' had to be brought in again, as something fresh and unknown, by the missionaries and pilgrims of the seventh century. By that time there can hardly have been in England proper such a thing as a perfect Roman building standing, nothing like a church, temple, or other public building in any but a ruined state. Town walls no doubt there were, as there are still, and there were remains of other buildings capable of serving as quarries for new erections down to a much later time. But as we have, in comparison with Gaul, comparatively few sites, so we have absolutely no perfect buildings, and very few fragments of buildings, which even pretend to have been kept up in continuous existence from days before the English Conquest. The little church of Saint Martin outside Canterbury, if we grant it to be all that it professes to be, does not profess to have been kept in absolutely continuous use. The Frankish Bishop Liudhard repaired a church which was already in ruins. Brixworth again is a church a large part of which, whatever its date, is obviously Roman in style. It may have been built out of the ruins of a building earlier than the departure of the legions, or it may be simply an example of the 'mos Romanus' brought back again in the seventh century. At Saint Albans again and at Colchester we have large buildings of the eleventh century which have something of Roman character about them, owing to their having been largely built out of Roman materials. Nothing better illustrates the position of Roman remains in England as compared with their position in France. The continuous retention of a Roman manner of building down to the eleventh century shows that in France the Roman period is one which is connected with the present by an unbroken chain. The Roman materials used up again at Colchester and Saint Albans are visible signs of the ruined and fragmentary state of all Roman remains here, and of the impassable gap by which they are separated from the earliest recorded events of strictly English history.* Architecture tells the same tale as language, nomen-

* [The using of Roman columns so common in the south, is next to unknown both in England and Normandy. There are two such in the west doorway of Saint Woollos' church in Monmouthshire; there is

clature, and religion. The Frankish settlement in Gaul was a mere settlement, a settlement which hardly caused more change than the Norman settlement in England; it changed more in some respects, less in others. There was nothing in it to interrupt the historical continuity between the times before it and the times after it. But all our evidence shows that the English conquest of Britain was something widely different, something standing by itself, something wholly unlike every other Teutonic settlement in a country even faintly Romanized.*

another in the desecrated abbey of Bernay. The only examples that I know of a series of such columns is in the church of Duclair, not far from Jumièges.]

* [I have lately seen again the church and *pharos* in Dover castle. In the *pharos* we have doubtless an abiding Roman work recast in mediæval times. The church is rather built out of Roman materials, not unlikely at a very early time.]

III.

AQUÆ SEXTIÆ.

THE first settlement of Rome beyond the Alps, the capital of Provence in its later estate as a county, calls up so many associations that the actual sight of the city is perhaps a little disappointing. The city of the Sextian Waters, the cherished dwelling-place of King René, ought in all reason to supply us with a goodly store both of Roman and of mediæval monuments. Aix ought to be a rival of Nîmes, Arles, and Vienne. As a matter of fact, it is nothing of the kind, and we complain that it is not. Yet, if Aix were a city of less fame, if we came upon it suddenly without being familiar with its name, we should assuredly not despise it. Its position at least is worthy of its renown. It is not a city set on an hill; hot springs,—and Aix owes its name and its being to its hot springs,—are more commonly to be looked for in the lower regions. That Aix does not stand low as regards the not very distant sea we feel strongly as the train carries us up the ascent which forms the latter part of the road from Rognac. There we leave one of the great highways of Europe for the special line which carries us to Aix. Since we left Arles—for we cannot conceive the traveller as starting from any other point—since, in leaving Arles, we passed by her Elysian fields and altogether forsook the companionship of the rushing Rhone, we have seen hills, both inland hills and hills skirting the coast, but we have not ourselves been carried over any high ground. But we

have passed over the stony land of Crau, the *campus lapideus* of Gregory, a stony field indeed, and one where every stone should be as precious as the Ephesian aërolite itself. For the stones of Crau are the artillery of Zeus himself, who cast them down from heaven to help his son Hêraklês in his battle with the Ligurians. We pass on, and, unless we have mastered our map well, we are tempted to think that we are skirting the genuine Mediterranean. But what we pass is nothing but its inlet, one of the many inlets of the Rhone Delta; it is known by the humble name of *Étang de Berre*; but it is a pleasant-looking piece of water enough, with a shore by no means to be despised. We pass by a small town or two, a castle or two, which make us wish that we could stop and see everything; specially do we wish to stop at Saint-Chamas and see the Flavian bridge, even though we know well that it is not the work of any Flavian Emperor, but only of Donnius Flavus, priest of Rome and Augustus. But when we have changed carriages at Rognac and are fairly in the valley of the Are, we feel ourselves really in a hilly and rocky land; we go as distinctly up to Aix as we go up to Purton and Swindon by the vale of Stroud. Yet when we reach the city, we find that it stands low as regards the hills and mountains which fence it in. When we look down on it from the height of Entremont, the Dardaniê, the Sinodun, the old Vesona, of Aix, Aquæ Sextiæ might almost seem, like her sister Aquæ Sulis, to be set *ad portas inferi*. Aix, unlike Bath, is one of the riverless cities; Are is too small and too distant to count for anything. But, though lacking this element of scenery, the Provençal Aquæ far outdoes its British namesake in the other chief element. The hills stand nobly every way, and the Mount of Victory soars above all, to proclaim the memory of the greatest day in the history of Aix and her coasts, of one of the greatest days in the history of Gaul and of all Europe. We cannot find it in our hearts to doubt the legend which looks on the name of the great

hill, and the ancient ceremonies with which its height is honoured, as abiding memories of the day when Gaius Marius saved Gaul and Rome and Europe from Teutonic invaders whose fault was that they had come before their time.

This is in truth the great lesson of the proudest memory of Aquæ Sextiæ. The war in which Marius won his purest fame is not exactly the beginning of the history of our race; but it is the first showing of our race in the history of the world. The men against whom he fought, unlike those against whom Stilicho fought, had come too soon. Rome was not ready for them nor they for Rome; there was no place yet in the world for an Ataulf, a Theodoric, or a Charles; that they might come, the Dictator and Cæsar Augustus had to come first. There was therefore no discipline for the men who had risen too early in the morning of the history of their race, save to be scourged back again like those who rose in the games before their turn. Their only fate was to be cut off at Aquæ Sextiæ and on the Raudian fields. And truly there came not such a day as the day of Aquæ Sextiæ till a new time had come, when Roman and Teuton had alike grown to their full growth. By that day they had so far forgotten old quarrels that they could march side by side against a foe that threatened both, and threatened all that had meanwhile become common to both. On the day of Aquæ Sextiæ, Gaius Marius, consul of Rome, saved Rome and the earlier civilization of Europe from Teutonic invaders. On the day of the Catalaunian fields a Roman patrician and a Gothic king had to do their work in partnership. The part of Gaius Marius was divided between Aëtius and the first Theodoric. Roman and Teuton, Catholic and Arian, had to fight for their common Europe, their common Christendom, against the Asiatic heathen. Nay the heathen Frank himself, Aryan and European if not Christian, could be welcomed into the great fellowship, to strike at least a blow for Woden and Thunder against the uncouth idols of Attila. But without

striving to set those two great deliverances in rivalry with one another, it is certainly the work of Marius, rather than the work of Aëtius, which has the nearest claim to a local habitation. Without presuming to fix the exact place of his victory, we may safely assume that Aix has more right in it than Châlons has in the other. The battle of Marius is called directly from the town; it is therefore not likely to have been fought very far from it; the battle of Aëtius and Theodoric simply bears the name which the tribe has given alike to the city and to the district. It is not the fight of Châlons, but the fight of the Catalaunian fields. One would not be very far wrong if one spoke of the battle of the *campi Catalaunici* as the battle of all Champagne.

We come then with our heads full of the historic name of Aquæ Sextiæ, and we are a little disappointed to find that there is very little of Aquæ Sextiæ there. That so it is doubtless partly comes of the fact that the modern and the ancient town do not occupy exactly the same site. Yet it must not be forgotten that change of site has sometimes, as in the case of Vesona and Périgueux, an opposite effect. That so much of Vesona—the second Roman Vesona—still abides as Périgueux is largely because Périgueux shifted its site from that second Vesona to the *Puy* Saint-Front. Here too the first Roman town grew up at the foot of the elder site of Entremont, on the site, that is, of the Sextian Waters. This town is said to have been destroyed in a Saracen inroad in 738. Then the eldest metropolitan church perished, but the succession of bishops went on, and the town gradually rose again, but with a somewhat shifted site. The elder town, the town of towers (*ville des tours*), lay to the west side of the present city, in what is now the quarter of the Minims, and it grew to its present extent by gradually annexing several suburbs or rather distinct towns. There was the town of the counts, the *ville comtale*, occupying the mid part of the present town, and marked by the palace of justice. And there was the

bourg Saint-Sauveur, so called from a small Christian oratory which in very early times sprang up in the near neighbourhood of a pagan temple outside the walls, a temple which in after days it supplanted. The counts' town, a town with walls of its own, had no church within those walls; another church, the *Madeleine*, since removed to another site, stood without them. The three towns together could have occupied no very great space; they all lay on the north side of the *Grand Cours*, the wide planted street (for a *boulevard* in strictness it is not) which is such a striking feature of modern Aix and divides it into two parts.

Such is the local story; of the first metropolitan church of which it speaks it is hard to say anything. Some Roman remains are said to be left on its site, but the site is occupied by a convent of devout ladies, into whose precincts no profane Aktaiôn or Clodius may hope to pry. But we gather that its ancient title was *Notre Dame de la Seds*. The *see* is not an uncommon name for the episcopal church both in Southern Gaul and in Spain. It was, we think, at Tarbes that we first heard the name. Having heard it, we added it to a little stock of such names, now that modern fashion, ever bent on getting rid of local colouring, will abide nothing but the monotonous 'cathedral.' Let the *see* of Aix, though it be there no longer, live at least in memory alongside of the still abiding *abbey* of Durham and *minster* of Lincoln. Towards the end of the eleventh century, when the fallen city was again looking up a little, the series of events began which led to the translation of the metropolitan throne of Aquæ Sextiæ from Our Lady of the See to the church of Saint Saviour. As yet that church was only the primitive oratory, or whatever later building had arisen on its site. Local faith believed it to be the genuine work of the apostle of Aix, the specially reverenced Saint Maximin, one of the holy company who came to Provence in company with the sisters of Bethany. Modern belief will hardly go so far as this; but that a very ancient church stood on the

site there is no reason to doubt, and our grandfathers might have been more certain about the matter. The church of Saint Saviour, and the quarter to which it gave its name, the *bourg* as it was afterwards called, stood on higher ground than any within the present compass of Aix. It stood on ground which, whether within the ancient city or not, is shown by existing remains to have been covered by Roman buildings of no small importance. It is said to have lain outside the walls alike of the *ville des tours* and of the *ville comtale*. But it is added that its inhabitants, according to the fashion of the time, had turned the ruins of the temple into something of a fortress for their defence. To this site the primates of Aix in the eleventh century were minded to move their episcopal chair, and between 1060 and 1103 the first step towards the completion of the plan was carried out by the building of a new and larger church of Saint Saviour. The work is attributed mainly to the agency of Benedict, the head of the canons of Aix, who, in this Imperial land, bore the title of Provost. And all honour to Provost Benedict, and all shame to the reformers of the nineteenth century. As far as he is concerned, we might have been able to study at Saint Saviour's a piece of Romanesque building more ancient than his own. He so built his church as to keep the ancient oratory as an attached chapel. Will it be believed that this precious relic was pulled down, not by Saracens, not by Huguenots, not by men of the Terror, but by the first archbishop after the *concordat*, when the church was restored to holy uses after its desecration as a Temple of Reason?

To the new-built church Provost Benedict and the canons now removed; from this time, we presume, the church of Saint Saviour must be looked on as the metropolitan church of Aix. The *bourg* grew and became populous, under the temporal lordship of the chapter. But the archbishops did not move with their chapter; for more than two hundred years longer they still kept their old quarters

in the *ville des tours*; it was not till 1331 that the new archiepiscopal palace by Saint Saviour's was finished. Why was this? We may suspect that the *ville des tours*, like the old *cité* of Périgueux, was sinking into a *faubourg*. The stream of population plainly flowed the other way, and the migration of the canons seems to have strengthened its course in that direction. Archbishops who were also temporal lords may have been better pleased with a *quasi*-rural abode which might be made into somewhat of a baron's castle, than with a more strictly episcopal palace in what was now becoming a thickly inhabited part of the city.

Benedict, as we have seen, spared the primitive church, the work, or the representative of the work, of the earliest times. It became an appendage to a greater building. By a singular fate, his own church has been preserved in nearly the same way as an appendage to another greater building. Yet there is still attached to the church of Benedict one building which, if it cannot claim the mythical age of the alleged church of Maximin, must be, in its materials at least, a good many ages older than the days of Benedict. In truth the story of the removal of the bishopstool to Saint Saviour's becomes a little puzzling when we find that there still clings to the present metropolitan church a baptistery which, though it has been sadly maltreated in later times, is surely in its essence as truly a relic of the primitive days of the Church as the baptisteries of Ravenna and Poitiers. And the baptistery of Aix comes much nearer to the type of Ravenna than to the ruder type of Poitiers. The upper part has been Jesuited; but eight grand Corinthian columns, surely genuine, remain. Neither Poitiers nor Le Puy has such a feature as this in its baptistery. On the other hand, the baptisteries of Poitiers and Le Puy stand apart as distinct buildings, while this at Aix is entangled in the buildings of the earliest surviving church, as this church is itself entangled in the buildings of the later church. A number of questions now start up.

The baptistery is so faithful a satellite of the bishop's church that, if the bishops of Aquæ Sextiæ really had their episcopal seat in another part of the town, it is passing strange that the baptistery should be here. Was Saint Saviour's, after all, the earliest seat of the bishopric? Was it moved for any reason to the *ville des tours* after the Saracen havoc, and did Benedict simply go back to the old place? Did he find the baptistery there as well as the oratory, and incorporate both in his new building? About this view there is this difficulty that the episcopal church is commonly in the oldest part of the city, and the inhabited site of Aix must have shifted to and fro indeed, if the *bourg* of Saint Saviour ever was within the original city. Or are we to suppose that Benedict built the baptistery, but built it with columns brought from an earlier baptistery attached to Our Lady of the See? This might be with a builder of so conservative a turn as Benedict. He who kept the ancient church was capable either of building a baptistery when baptisteries had rather gone out of fashion, or of so building it that it should be, as nearly as possible, simply an older baptistery translated to a new site.

We said that the church of Benedict was destined to a fate not unlike that which the church of Maximin underwent at Benedict's own hands. The oldest surviving church of Aix, the church of the eleventh century, has been dealt with in a way which may at first sight call up the memory of Saint Justus at Trieste, though it really comes nearer to the story of the priory church of Leominster in our own land. In all these cases a building which was originally an independent church has sunk into a mere part or appendage of a greater church. But the way in which the change has been made has not been the same in the three cases. At Trieste two wholly distinct churches which once stood side by side are thrown into one. A nave and choir have sprung up on the site of the south aisle of the one church and the north aisle of the other, and on the space that was between them. On

both sides of this new body the naves and choirs of the two original churches have sunk into aisles and chapels. At Leominster the south aisle has given way to a new aisle or chapel which goes far to overshadow the original nave; in modern use it has overshadowed it altogether. But the old nave and aisle of the Norman minster, with the destroyed transepts and eastern limb which it is easy to call up in imagination, still keep, as an architectural design, their superiority over the wider parochial excrescence, however large and however splendid its windows. At Aix, on the other hand, the elder church, as far at least as size is concerned, has been thrown into insignificance by the later additions; it has practically become the south aisle of the present enlarged church. The fact that so it is, that the Romanesque part of the present church is an independent church which has been incorporated in the building of a later time, comes out more strikingly at the west end than it does in the inside. In the inside, till we look more minutely and take in what it really is, it might almost pass for an aisle or some subordinate part of a great Romanesque church of which the rest has been rebuilt. But at the west end the Romanesque building clearly has its own west front, such as it is, though it now cowers, as it were, alongside of a greater neighbour that overshadows it. The west end of the elder church of Saint Saviour, with its doorway made up out of classical fragments, has clearly nothing to do with the front to the side of it, with its rich, but not amazingly rich, doorway of the latest French Gothic. The elder front does indeed remind us that we are on Roman ground. The front cleaves to a Roman wall, in itself no mean piece of masonry; and the doorway, the only architectural feature of the front, is altogether made up of pieces of earlier buildings. It cannot be called a successful work. Sometimes such putting together out of fragments is successful; witness the stately porch of the metropolitan church at Avignon, and another in the far humbler and less famous church of Saint

Restitutus in the land of the Tricastini. Sometimes it is very much the reverse, as in the mother church of Saint Restitutus, Saint-Paul *Trois Châteaux*,* where the columns that have been set up on each side of the grand doorway stand there, doing nothing, without even capitals to finish them. Here at Saint Saviour's the greater and the smaller columns that have been worked up again do not lead quite so idle a life. The larger pair carry stilts which support a kind of feeble cornice forming a canopy over the doorway; the smaller pair form the jambs of the doorway itself. The doorway is in a transitional state between the square-headed doorway with an arch over it and the round-headed doorway with the tympanum inserted under the arch. Over the doorway there is a single plain round window in the low gable, and that is all. We cannot say much for Provost Benedict's skill, or that of his architect, in designing a west front.

When we enter, his work is stately, as all these simple Provençal churches are, though we cannot put the design on a level either with Saint Trophimus at Arles or with the smaller Saint-Paul *Trois Châteaux*. Three bays of nave lead to the crossing, with a small octagonal cupola; beyond it is one bay more; the apse is swallowed up by the later work. All the arches are round, except the pointed vault. The springing of this is marked by an enriched cornice which runs round the bold square pilasters of the vault, which are again flanked by small columns more enriched than anything else in the building. The conservative feelings of Benedict, or of some later man of the same temper, have kept for us some inscriptions of far earlier date. One which commemorates a certain Makarios is in Greek. But the thing to be noticed is the chronological minuteness of

* It may be as well to mention that the name of this small head church of a small diocese is altogether delusive. There are not three castles at Saint-Paul, nor is there any reason to think that there ever were. *Trois Châteaux* is a strange corruption of the name of the tribe the *Tricastini*.

the men of Aquæ Sextiæ. In most inscriptions we get the age of the person commemorated and the day of the month when he died, but we are left to guess at the year. But at Aquæ Sextiæ, as now and then, but only now and then, elsewhere, men had the sense to put the consuls. Something was done in the episcopate of Basil, and not only in the episcopate of Basil, but in the consulship of Asterius, in other words in the year 494. Aix was then under the rule of the younger Alaric; but men reckoned years, not by the West-Gothic king, but by the Roman consul. As we do not know what it was that was done in 494, we turn to another inscription where we know what was done, but where we are not quite so sure of the year that it was done in. Adjutor died after doing penance (*post acceptam pœnitentiam migravit ad Dominum*) in the consulship of Anastasius—*Anastasio V. C. consule.* If this is the Emperor, he was consul more than once, and would the Emperor be spoken of as a simple *vir clarissimus*? Yet perhaps it is safest to assign the death of Adjutor to the first consulship of the Emperor in 492. His epitaph, it seems, was brought from the destroyed church, which was therefore most likely earlier than his day.

To the church of Benedict, consecrated in the first years of the twelfth century, the later years of that century added a noble ornament in the shape of the cloister. This is one of a type of which there are many in this country, at Montmajour, at Saint-Remi, and above all in Saint Trophimus at Arles, the head of the class. It is not absolutely necessary to see, and yet one is strongly tempted to see, a touch of the Saracen in the slender coupled columns which join to support the arches. In these Provençal cloisters the arches are round; we are more sure of our Saracens when they are pointed, as at Monrealo and Moissac; yet after all the coupling of the columns is in itself no Saracenic invention; it comes from the tomb of Constantia, if tomb of Constantia it be, on the Nomentane way of Rome. The cloister at Aix is much smaller than that at

Arles, but it is nearly equal to it in beauty. For beauty, a quality which can hardly be asserted of a great Romanesque inferior or exterior, may surely be claimed for these lesser works in the later and richer forms of the style. Here we have the characteristic variety of columns, plain, twisted, fluted, and the no less characteristic variety in the capitals, though we do not find such a store of scriptural teaching as in the columns, and still more in the square pilasters, of Arles. When this cloister was built, the Provost and canons of Aix had seemingly submitted themselves to the rule of Saint Austin. It must be remembered that a monastic chapter, if Austin canons are to be called monastic, is anywhere out of England an extremely rare thing in any episcopal church. But Aix for a season was as Carlisle. Only the canons of a later day seem to have liked the rule of Saint Austin no better than the canons of York and Wells in the eleventh century liked the rule of Chrodegang. The chapter of Aix in the fourteenth century fell back on the secular life which most capitular bodies on the continent never forsook.

Before this change, which dates from 1373, the church of Saint Saviour had been altogether transformed. The nave of Benedict had sunk into the south aisle of the church which in 1283 began to grow up to the north of it. This work contains the present double nave—for such it is rather than a nave and north aisle—with the tall octagonal tower which forms one of the most prominent objects in the city, and the west front which altogether dwarfs the small front of the Romanesque church. This work was begun in 1283, and the main part of it seems to have been done by 1323, though the whole design, church, tower, and west front, would seem not to have been carried out till 1534, when the new building was at last consecrated. Tastes vary; but certainly to the genuine student of Provençal local architecture, all that has been built since the days of Benedict—bating of course the cloister which was the finish of his work—has but little interest compared

with what is left of his days and of the old time before them. Yet we must allow that one part at least of the work was finished to admiration, though it is a part which a visitor may easily leave Aix without seeing. These are the magnificent doors of the west doorway of the new nave, which, strange to say, are kept covered, though they will be opened for the curious without any trouble. The doorway is of course double with flat-headed openings; the actual doors of walnut-wood, dating from 1504, are among the finest specimens of wood-carving to be found anywhere; with their array of figures of prophets and sibyls they remind us of the stalls of Auch. Only at Auch there is nothing above ground to be cared for except woodwork and stained glass; here at Aix even the later church rises a good deal above the level of the clumsy pile at Auch. The figures are in ranges, under canopies; the canopies are still of good Gothic work, but in the lowest range *Renaissance* pilasters come in. The same rule is followed here as everywhere else; the Italianizing influence shows itself in furniture and other ornaments before it touches architecture proper. But there are other things to see in the new nave. There is a triptych which, if we could believe the popular belief that it was painted by King Réné, would be part of the history of Provence, and which, though it was really painted by somebody else, may still be part of the history of painting. But alas, we somehow missed something more precious than triptychs and even doors, the sarcophagus of a saint of the fourth century and the fragment of the old episcopal throne. To be sure they were not in their proper place, but were stowed away somewhere else. Can the metropolitan chair of Aix hope to stay in its place when the œcumenical chair of Rome is cast forth into the cloister, and the very apse of Constantine is sacrificed to modern vagaries? Torcello, we believe, is still left, and Our Lady beyond the Tiber.

And now comes a strange question. Did the church of Saint Saviour, two years after its final consecration, behold

an august and unexpected ceremony? We go into Provence, we go to Saint Trophimus at Arles, and we muse on the strange irony of fortune which made Charles the Fourth the last Cæsar who should take his Burgundian crown beneath its cupola. It never came into our heads to seek for the crowning-place of another Cæsar, another Charles, within the bounds of the Middle Kingdom. All the world knows that, before the new church was hallowed, before the new doors were carved, the independence of Provence had passed away. If Provence was not actually merged in France, the county was irrevocably annexed to the kingdom. Within its bounds the ruler was spoken of as 'le Roi, Comte de Provence,' somewhat to the prejudice of the king of higher place of whose dominions Provence formed a lawful part. For a while, to be sure, the loyalty of the annexed land to its new allegiance was a little doubtful: in 1524, when Bourbon came in the name of Cæsar, Aix and other places returned to the allegiance of Cæsar without much difficulty. But how was it twelve years later when Cæsar came in person, and when the French king's way of withstanding him was to lay waste the land that he called his own? That Charles the Fifth entered Aix nobody doubts; that he did not enter Arles nobody doubts. If he had entered Arles, it would clearly have been the right thing for him to take the crown of his Burgundian kingdom in the church where the last Charles had been crowned before him. But are we to believe that, as he could not be crowned in the right place, he made up for it by being crowned in the wrong place? No doubt such an act would have been quite in character; Charles the Fifth had a way of taking crowns where no one else would have thought of taking them; who but he wore the crown of Monza and the crown of Rome, by a strange act of accumulation, at Bologna? So it is perfectly possible that he might take a fancy to be hallowed as King of Burgundy in Saint Saviour's at Aix when there was no getting to Saint Trophimus at Arles. Only was it so? We reached Aix knowing nothing of any such fact,

nor, on coming back, can we find any mention of it in the books to which we naturally turn. But the local books that we got at Aix affirm the coronation of Charles as a thing about which there is no kind of doubt. It would have been better if they had conceived the possibility of doubt, as then they might have quoted their authorities. The thought has flashed across the mind that some citizen of Aquæ Sextiæ may have read in a French book a record of a crowning at *Aquæ Grani*, and may have fancied that the name *Aix* meant his own city. In any case we are a little used to somewhat doubtful coronations, specially in the Imperial kingdoms. The local belief alike of Monza and of Vienna Allobrogum claims the crowning of more than one king whose crowning in those cities cannot be seen out of Monza and Vienna Allobrogum. But then those crownings, true or false, added to the honour of the cities. Would it, in the eyes of any modern Provençal, add to the honour of Aix to have seen the crowning of an Emperor, Austrian, Spaniard, or Fleming, in utter defiance of the claims of a Count of Provence who was also King of France?

As there is at Aquæ Sextiæ so little to see of Aquæ Sextiæ itself, the metropolitan church is naturally the first object of interest, all the more so as it still possesses so much that carries us back to very early time. But it is not the only thing to be seen in Aix. The archbishop's palace, though now mainly modern, will have attractions for some. The church of Saint John of Malta, dating from 1251, survives, and the house of the knights close by, modern building as it is, contains, in its character of museum, not a few objects, Gaulish, Greek, and Roman, which throw light on the history of the city. The church, with its spire, is an example, pleasing enough in its way, of the kind of Gothic of which we get tired in this country. The east end is flat, and the design, originally a perfectly simple cross, is not improved by cutting through the walls. The tombs of the counts in the north transept are modern reproductions,

seemingly very praiseworthy as reproductions, of the originals which perished in the Revolution. Most of the public buildings are modern; we specially grudge the palace of justice, to which the ancient palace of the counts was cruelly sacrificed, with a vast havoc of mediæval and Roman work. A civic tower or two remain, to group well with those of the churches in the general view of the city. In the view from the height of Entremont the city lies at our feet; but we look rather to the left; for there soars the Mount of Victory, its mighty mass, it may be, gradually becoming dim and awful, and the Cross of Provence that crowns it dying wholly out of sight, as a storm gathers over hills and city. Our thoughts go back to Gaius Marius and the day which gave the mountain its proud name. We come down to the city and perhaps grudge that there is so little left of the elder days of Aquæ Sextiæ. We perhaps think for a moment that Arles and Vienne, out of their abundant wealth of so many ages, might spare something for a city once of at least equal fame. Rich in their memories of kings, they could afford to yield something in the way of Emperors and consuls to the first abiding-place of Roman power in the Transalpine lands. But it is perhaps better as it is; at least we think so beside the arena of Arles and the temple of Vienne. Some spots are more favoured by fortune than others; some are favoured in different ways. The modern inhabitants of Aix would most likely not exchange their open *cours*, carrying freedom and fresh air into the heart of the city, for the rough streets, paved to be sure with the bolts of Zeus from La Crau, which join the great church of Arles to its theatre and its *arena*.

IV.

ORANGE.

THERE are few foreign cities whose names are oftener, in one way or another, in the mouths of Englishmen than the name of Orange, and yet there is no place about whose geography there are wilder confusions afloat. Orange and England have had one sovereign in common, and the accident of that common sovereign has caused the name of Orange to become so familiar that men constantly utter it without the least thought what it means. Orange gave its name to a line of princes, one of whom was also a king of England, and from that Prince of Orange who was King of England a political party in the British islands and colonies has thought proper to call itself. And the further happy accident by which the name of a fruit reproduces the name of the city has supplied that political party with an appropriate party colour. Orangemen, when they go to an Orange lodge or wear orange ribbons, may possibly think of William the Tenth,* Prince of Orange; but we feel sure that they do not think of the town which gave him his princely title. And, if people stop to think where the Orange is of which William was Prince, they almost always put it in the wrong place. The later Princes of Orange were so much more famous in connexion with lands far away from their own principality that, in common belief, their principality has been carried away to the lands in which they were most famous. Ask in the Oxford Schools

* The Williams of Orange are reckoned in different ways, and our William the Third appears in different reckonings as Eighth, Tenth, and Eleventh. I follow the *Art de Vérifier les Dates*.

where Orange is, and the answer invariably places it somewhere in the Netherlands. A sect which affects more minute accuracy seems to make it displace Groningen or West-Friesland. Orange is by them defined to lie between Holland and Germany.

It is a strange fate which caused this little scrap of the old kingdom of Arles to live on, side by side with its neighbours of Avignon and Venaissin, so long after the two together, Pope and Prince, were altogether surrounded by the gradual annexations of France. In the later days of the principality, the Prince of Orange, in his hill-castle, saw France on every side of him, save where the papal territory still remained to be devoured even later than his own. Lyons, Vienne, Provence, Bresse, Besançon and the Burgundian county, had all been swallowed up, while Orange still went on, often swallowed up indeed, but as often disgorged again. But it was a stranger fate still which brought the later history of Orange so near to the history of lands with which Orange had no kind of natural connexion. One prince of Orange, a too loyal vassal of the Empire, appears as the conqueror of Rome, a conqueror not after the manner of Alaric and Totila, and he meets his reward in one of the last efforts of betrayed and beleaguered Florence. Another prince, of another house, wipes out the stain; the name of Orange becomes so closely connected with the foundation of free states that we forget that it had ever borne an opposite meaning. We pass by the inglorious career of the eldest son of the Silent one, and we come to four princes of his house who were Stadholders of distant Holland, and the last and greatest of whom became the last chosen King of England, the latest English conqueror of Ireland. It is to William—William the First of Ireland, Second of Scotland, Third of England, Fourth of Normandy, and Tenth of Orange—that the old Roman and Burgundian city owes the peculiar meaning which its name has borne, ever since orange colours were first worn by his friends and rotten oranges first squeezed by his enemies.

As the geographical position of Orange is thus to most minds so mysterious, it is not wonderful that the town seems not to be much frequented by English travellers. Orange has a station on one of the great highways of Europe, on the railway from Marseilles to Lyons and Paris; but the town itself lies a little off the line. The mighty wall of its theatre may be seen from the railway; but Orange is not actually on the main road, like Arles, Avignon, and Vienne. And, as it does not lie immediately on the railway, neither does it lie immediately on the great river whose course the railway so closely skirts. Arles, Avignon, and Vienne are washed by the mighty Rhone; they stand out at once as sentinels, as bulwarks of the Imperial land against the encroaching power beyond its stream. Orange is less directly on the frontier; it lies away from the great river, by the banks of an almost invisible tributary, a stream whose name seems given to it to remind us where we are, a namesake of the Main which flows by Imperial Frankfurt. Orange therefore does not force itself on the eye in the same way as the other cities of the Rhoneland; the town itself is smaller than its fellows, and, I should imagine, to the common view of tourists less attractive.

In truth that Orange, or any other place, is not greatly infested by the common run of tourists is to be set down as one of its merits. I heard English at Arles, at Nîmes, and at Avignon; I heard none at Orange or at Vienne. But I would recommend every rational traveller, every one who cares for the history, the antiquities, or even the scenery, of the lands through which he passes, by no means to leave unvisited a city which has so long and so remarkable a history, which is so rich in at least one class of antiquities, and whose now vanished castle could look down at once on the city at its feet, on the wide plain around it, on the border-stream of Rhone on the one side, and on snowy Alps on the other.

It is the isolated hill of the castle, rising all alone out

of the plain, and at some distance from the river, which gives the key to the history of Orange. At Avignon a single hill overhung the river; at Vienne an amphitheatre of hills offered a well-sheltered site between the heights and the stream. In both these cases the advantages of the hill-fort and those of the settlement by the river could be combined. At Orange this could not be. The isolated hill was a site too precious to be passed by in the perilous times when strength of position was the first requisite in a settlement; but the settlement on the isolated hill was cut off from the advantages of the settlements by the river. In more civilized days the loss of those advantages was fatal. Arles, Avignon, Vienne, though no longer holding their old place, though no longer the seats of pontiffs, kings, and sovereign archbishops, are still undoubted cities of men. Orange, which remained the capital of a sovereign state longer than any of them, cut off from the traffic of the river, has sunk into a mere country town.

The peculiarity of the history of Orange, which it shares with the neighbouring city of Avignon and county of Venaissin, is that they together formed a small region which was surrounded by French territory, but which was not French territory itself. The position of these districts is one of the many things which are puzzling to those who read history with a mind which has not set itself free from bondage to the modern map. People are apt to wonder how a small separate state got into the midst of French territory. This question is something like the more famous question how the apple got into the dumpling. The question is not how there came to be an independent Orange in the midst of French territory, but how French territory came to surround independent Orange. Of course, given the subjection of its neighbours, it is a fair question why Orange came to escape longer than they did—why, while Lyons was swallowed up under Philip the Fair, Orange was swallowed up only under Lewis the Great. But this is not the common difficulty. As long as people

conceive that there must have been from all eternity a France bounded by the Pyrenees, the Alps, and perhaps the Rhine, the position of Orange and Avignon will of course be puzzling. When the facts of history come to be rightly understood, the wonder is how a Parisian king ever came to reign between the Rhone and the Alps. The thing that needs explanation is, not why Orange was so late in becoming French, but why Provence and the Dauphiny ever became French at all.

Orange, in short, is one of the members of the ancient kingdom of Burgundy, which contrived to escape French annexation longer than most of its fellows. The process of swallowing-up, which began with Lyons and which has as yet ended with Savoy, failed to reach Orange till a remarkably late time, just as it has still failed to reach Geneva, Neufchâtel, and the other Burgundian states which now form part of the Swiss Confederation. Orange indeed more than once underwent a temporary annexation; so did Geneva; so did Savoy more than once, before it was finally engulfed in our own days. The point to be borne in mind is that all these annexations, from Lyons to Savoy, from Philip the Fair to the younger Buonaparte, are all parts of one story, all scenes in one long drama. Of that drama each scene, whether laid at Lyons, at Orange, or in Savoy, represents the seizure by France of some territory which neither in nature nor in history had anything to do with France. The special interest of Orange, in this point of view, is that so small a state, so dangerously placed, was spared so long. Savoy found a certain measure of protection in the possessions of its dukes beyond the Alps. The Romance-speaking cantons of Switzerland find what we may hope is a surer protection in the fact that they are cantons of Switzerland. But Orange stood alone, with no protector, unless we hold that Orange and the Papal territory drew some slight protection from one another. Certainly each hindered the other from being wholly surrounded by the dominions of the encroaching power.

Otherwise, no district or city stood more helpless, as their temporary annexations showed of themselves. Yet the final annexation of Orange did not happen till four hundred years after the annexation of Lyons; it happened only a hundred and forty years before the last annexation of Savoy. Measuring by annexations in other parts, Orange remained independent forty years after Strassburg, a hundred and fifty years after Metz. Here then is one great source of the historic interest of Orange. Other sources are found in the great personal eminence of several of the princes who drew from it, not indeed their real importance, but their title and their sovereign rank. This however is a kind of artificial interest; it needs an effort, it especially needs it on the spot, thoroughly to take in that William the Silent and William the Deliverer really had anything to do with a place so far away from the scene of their chief exploits. The best comment on this difficulty is the common belief which I have already spoken of, that Orange is somewhere in the Netherlands.

But the most immediate attraction on the spot is to be found in the magnificent remains of Roman antiquity to be seen in the city. These great works are all the more striking for two reasons. Orange plays no important part as a Roman city; it can never have been the peer of Arles, Nîmes, or Vienne. Its arch and theatre therefore show the more strongly the wonderful and lavish enterprise with which the ornament and amusement even of quite unimportant places were looked after in the flourishing days of the Empire. And they are the more striking because the great Roman buildings are the only great buildings in Orange. The surviving works both of the middle ages and of modern times are utterly insignificant. There is nothing to set against the castle of Avignon and the cloister of Arles, against the abbeys and the metropolitan church of Vienne. It is to be sure no fault of its princes, earlier and later, if in military works Orange does not rank among the proudest of cities. The mighty pile of its castle perished

at the bidding of Lewis the Fourteenth. Its remains form an important part of the history of Orange, but they contribute nothing to its architectural wealth. Orange again is or was a bishop's see, and as such, it has its cathedral church. Most of the minsters of the Rhoneland seem small and plain, if judged by a French or English standard. That of Orange, though it contains one or two points of interest to the professed ecclesiastical antiquary, though scraps of Roman materials may still be seen in its chief doorway, is even smaller and plainer than its fellows. Nor is there anything specially attractive, or specially instructive, in the two or three other churches of the city. It is on its Roman works, and on its Roman works only, that the architectural fame of Orange must rest.

But it is not its Roman works that the history of Orange, as written in its existing remains, offers as its first chapter. If not the plain of Orange, at least its hill, must have been a dwelling-place of man long before Arausio became a Roman colony or a Roman possession. On the hill of Orange we feel sure that we are on the site of the original settlement; we feel that the hill-fortress and the Roman city at its foot stood to each other in the same relation as Sinodun and Dorchester, save only that there was no winding Thames to flow between them. We may conceive that the camp from which the Roman army besieged the Celtic hill-fort became, as at Dorchester, the Roman city. But, unlike Dorchester, the near neighbourhood of the hill enabled the fortress on the hill to remain to all ages the citadel of the city, whether to protect or to hold down in bondage. The three deep fosses which cut off the steep heights immediately above the city from the further part of the hill which slopes down more gently into the plain, were surely not first drawn there by the modern, by the mediæval, or even by the Roman, fortifiers of the hill. They are far more like the defences of the primæval fortress, like the kindred fosses at Stinchcombe, at Uleybury, at Worlebury, and on a crowd of insular and peninsular

heights in our own island. The only difference is that there arose at Orange, what there did not arise in the other cases, a Roman city at the base. A third chance might have placed the city on the height itself, and the hill of Orange might have rivalled the kingly steep of Laon.

As it is, the city lies at the foot of the hill, or rather its great monuments were so placed as to form part of the hill itself. In the nature of its chief monument Orange stands almost alone. There are a crowd of Roman cities in which the chief monument of Roman times is the amphitheatre. There are few where, as at Nîmes, the amphitheatre finds a rival in a temple, or where, as at Vienne, a temple claims the first place beyond all rivalry. At Orange there is nothing to rival the amphitheatres of Verona, of Capua, of Arles, and of Nîmes; there is nothing to rival the *Maison Carrée* at Nîmes, or the temple which bears the name of Augustus and Livia at Vienne. Orange has its arch, which we may compare with those of Aosta and Rimini and Ancona, but even the arch is not the distinctive feature of the city. What stands out in every sense above all the monuments of Orange is the gigantic wall of its theatre. In the general view of the city it soars over every object. Its height and its length alike dwarf every existing object; the amphitheatre may have been its rival, but the amphitheatre has utterly perished; to point out its site is as much as the local antiquary can do. The theatre reigns without rival. It not only reigns without rival over every other building in its own neighbourhood; it reigns none the less without rival over every building of its own class which I have as yet had the good luck to see. In Rome itself there are the mighty arcades of the theatre of Marcellus; but they have yet to be cleared of the base invaders who have quartered themselves within them, and we miss the great feature of Orange, the vast straight wall. At Arles the two perfect columns and the two broken ones by their side give us a more perfect

idea of the decorative part of a Roman theatre than Orange itself. But at Arles the straight wall has vanished, and of the curved walls there is hardly so much remaining as at Orange. At Arles it is only at that one point where the arcades had been turned into a tower that the arcades themselves remain in any degree of perfection. As far as I have seen, there is no building of the kind to compare with it as a whole,* and it loses nothing of its majesty because so large a part of the curved lines of its seats were actually wrought in the hill that soars above it. The most perfect part, the wall which faces the city, is imposing from its mere bulk. Strictly as a work of architecture, there is perhaps no particular beauty in its four stages, one of which is left blank, while the upper one served merely to support the masts which held up the awning. But the truth is that this vast wall was not designed to stand as we now see it, as a single mass rising from the ground. As it stood when perfect, it must have looked like one side of the nave of a vast minster, with its aisle and clerestory. It is easy to see that there was an arcade in advance of the great wall, and that the plain second stage was in fact covered by a sloping roof. Above this, a long range of smaller round-headed arches forestalls the clerestories of Pisa and Lucca. Wherever we go among Roman buildings, among those where the Greek decorative features are either absent or of secondary importance, we see how easy was the change from the classical or transitional Roman to the full developement of the round-arched style in the Romanesque. The *Emporium* at Rome, the greatest building preserved to us from the days of the Commonwealth, differs in no essential respect from an English or German or Norman building of the eleventh or twelfth century.

* [Later experiences of mine have not altered this judgement. At Taormina we have the charm of the site and of the slight remains of Greek work; but the *scena* is nothing like so perfect as at Orange.]

Close by the theatre, forming in fact one architectural mass with it, was the circus, with its semicircular end, like that of the theatre, hewn out of the hill. Its length seems to have spread itself along the whole eastern side of the modern town, stretching as far as the bridge which divides the city itself from the suburb which contains the triumphal arch, and which will most likely also contain the resting-place of the traveller. But of the side walls of the circus the remains are small indeed. At one point an ancient arch spans a narrow street; the wayfarer for a moment fancies he is going out by some gateway or postern; he is in truth passing under one of the arches of the circus. Nevertheless, more is left of the circus of Orange than of either the Circus Maximus or the Circus Agonalis of Rome. It is part of the charm of Orange that its remains chiefly consist of monuments of which we find so few equally perfect specimens elsewhere. The small scraps which still survive of the circus of Orange have no parallels at Arles, at Nîmes, or at Vienne.

The other great Roman monument of Orange is again one which has no competitor among the buildings of the Rhoneland, and not many north of the Alps.* This is the Roman arch, the so-called triumphal arch, through or around which the traveller will pass if he chances to enter Orange from the north. I spoke just now of the arches of Aosta, Rimini, and Ancona, but the arch of Orange really belongs to another class; it aspires to a place alongside of the arches of Severus and Constantine. The other arches —alike the tall slender arch of Trajan on the harbour of Ancona and the bold arches which span the road or street at Rimini and Aosta—have but a single opening, like the arches of Drusus, of Titus, and of Gallienus. But the arch of Orange boasts of the full complement of three. All the buildings of this class have a stateliness which almost

* [When I wrote this I had not seen the arch at Saint-Remy, and the exquisitely beautiful monument hard by. But it is hardly on the scale of the arch at Orange.]

disarms criticism, but there are no buildings which bring out more strongly the essential inconsistency of the classical Roman architecture. A temple like those of Nîmes and Vienne, in which the Greek mode of building is consistently followed, is Roman only geographically; it is in truth a Greek building on Roman soil. In the outsides of theatres and amphitheatres the columns or pilasters are of hardly more importance than those decorative columns and pilasters at Classis and Pisa which die away into the horizontal strips of the Primitive Romanesque of England and Germany. In the aqueducts, and, as I have just said, in the *Emporium*, the style is really Romanesque; the Greek features have not found a place even in the decorations. But in the triumphal arches the full inconsistency of the classical Roman style comes out. The real constructive feature is the round arch, but the ornament is sought in columns on each side of it, which perhaps support pediments which are not the end of any roof, and which really serve no purpose at all. The eye admires the majesty of the whole mass, and the beauty both of sculpture and of architectural detail; but the style will not bear the test of rigid artistic criticism, like a pure Grecian, a Romanesque, or a Gothic building, each of them consistently carrying out the principles of its own style. Yet, perhaps for this very reason, the triumphal arches have an interest of their own; the thing is so purely Roman; there is nothing the least like it among the works either of Greek or of mediæval art. It is therefore perhaps not altogether out of place that such works should display the faults of Roman art as well as its merits. The arch of Orange is a stately work, as are the arches of Severus and Constantine; yet we cannot help asking why the architects stuck a pediment over the main opening, where there is no roof answering to it. The sculptures too which fill up the space between the smaller arches and the horizontal line above them seem stuck in without any particular reason, except to fill up a blank space. The case is different when, as in both the great

arches at Rome, a straight line immediately above the arch itself forms a real spandril. At Orange there is no strictly architectural figure; the sculptures are simply thrust into an irregular space formed in a kind of accidental way. This may seem minute criticism; I am afraid that it may not easily be understood, except either on the spot or in presence of such photographs as are easy to be had of the arches of Rome, but which are not easy to be had of the arch at Orange. But the difference is a real one in the effect of the arches, and if, as all seem agreed, the arch at Orange is older than the arch of Severus, it shows there must have been a distinct improvement in the art of building these arches.

The sculptures in these *quasi* spandrils, and the other sculptures in different parts of the arch, form a very remarkable study. They are in some sort of a piece with the trophy-capitals to be seen in several of the buildings of Rome; that is to say, they chiefly consist of symbolical representations, which mainly take the form of warlike weapons. But in some parts sacrificial implements also come in; the two together, it may be, symbolize both the military and the religious conquest of a country in which the worship of Jupiter Optimus Maximus had displaced the more fearful rites of the Druids, if indeed Druids were found so far south as Arausio. And, mixed up with these symbolical figures, are several words, some of them proper names, among which the words 'Mario' and 'Sacrovir' are still to be seen, and it is said that, among those which can be no longer made out, it was once possible to read the name 'Teutobocchus.' It is no wonder then that the arch has been thought to be of the time of Marius, and to commemorate the victory of Aquæ Sextiæ. Yet all that we know, both of the history of Roman art and of the history of Roman colonization in the Gaulish province, will lead us to the now more generally received belief which places the arch of Orange not earlier than the reign of Augustus. It is therefore the contemporary of the arches of Aosta and Rimini. But its design is so different from theirs that the

comparison which naturally suggests itself is with the later and still greater arches of Rome itself.

The arch now stands altogether alone; no other building abuts upon it or stands anywhere near it. It does not span a street, as at Rimini, nor a road, as at Aosta, for the road is now carefully carried round the arch. All these buildings were clearly designed from the first to stand thus wholly distinct; but their very isolation suggests a feeling of unreality. The triumphal arch is not a gateway, but it is so like a gateway that it suggests a comparison with one, and we cannot help reflecting that, while a gateway serves or served an useful purpose, a triumphal arch never served any. It is a mere monument; and one may doubt the taste of making a mere monument of a scale and of a shape which at once provokes comparison with buildings which have a practical object. But, if the arch of Orange now again stands isolated and serves no practical use, it is only because it has in modern times been cleared of encumbrances which once made it far from isolated, and, according to the notions of several centuries, far from useless. Like the amphitheatres of Arles and Nîmes, like the theatre of Arles, like the Coliseum itself, and, to come nearer to buildings of its own class, like the arch of Titus at Rome, the arch of Orange was once turned into a fortress. In the days of the counts and early princes, while the great castle stood on the hill, the Tower of the Arch formed a secondary stronghold at the other end of the city, and from the Tower of the Arch many documents in the mediæval history of Orange are said to be dated. Such a change is characteristic; the Roman had his works of defence, though from Orange, unlike Aosta and even Arles, they have by bad luck wholly vanished. But his works of defence were simply meant to protect his works of other kinds; they were not the all in all of his building. But in a later age churches and fortresses were the only classes of buildings of which men dreamed, and, when an earlier work could not itself be turned into one or the other, it was most commonly

destroyed to supply materials for one or the other. The temples of Nîmes and Vienne were spared, because they were turned into churches; the arch of Orange was spared, because it was turned into a tower of defence. And we may be thankful that it was turned into a tower of defence instead of being wholly swept away.

The triumphal arch changed into a military tower well marks the change from Arausio to Orange, from the ancient to the mediæval city, from the Roman colony, a single city of the dominions of the universal ruler, to the capital of a state whose feudal dependence on higher lords did not, in the ideas of those times, bar the claim of its princes to the rank of sovereigns. But Orange the capital must have sadly sunk from the estate of Arausio the colony. Of the many thoughts which the remains of Orange, above all the mighty theatre, call up in us, one of the foremost is the witness which they supply to the prodigious enterprise, the lavish expenditure, of the imperial days of Rome. It seems inconceivable that such a building as the Orange theatre can have been built simply for the amusement of the people of a provincial town which could never have been of the first or the second order. Arausio never was, like Arelate and Vienna and Lugdunum and Augusta Treverorum, the capital of a province which in after times could be cut up into several powerful kingdoms. It was not, like some of them, the dwelling-place of prefects, and even of Emperors. Buildings for rivals to which we have to look in Rome itself were raised for the entertainment of the people of a town which plays absolutely no part even in local Gaulish history. The place is known simply from the geographers and from its own remains; the date, not only of its buildings, but of its creation as a colony, is mere matter of inference; the historians of the Empire have nothing to tell us about it. Nothing makes us better understand the power, the ubiquity, of Rome than the existence of such mighty works in a place which was historically so insignificant. The colony of Arausio might be nothing in

itself; but as a colony of Rome, it was part of Rome; it was entitled to be dealt with as an outlying suburb of the Imperial city itself. Arausio, as Arausio, in any other character but that of the Roman colony, has really nothing to say for itself. It does not seem even to have devised for itself any such foundation-legends as those which form the mythical history of Avignon and Vienne. The Gaulish history of the spot is a blank; its Roman history is purely monumental; the local legends do not begin till the days of the Saracen inroads; the trustworthy local history does not begin till some centuries later still.

The legendary tale attributes the foundation of the county of Orange to a certain William, surnamed *au Cornet* or *au Court Nez*, two descriptions more akin in sound than in meaning, who is called Duke of Aquitaine in the days of Charles the Great. He does wonderful deeds against the Saracens: he delivers Orange, and at last, after dying a monk in a monastery of his own foundation, he is canonized, if not formally, at least by local reverence. This story is one of many signs of the memory which the Saracen invaders left behind them through all southern Gaul and north-western Italy; but it is worth little more. Saint William is said to have made Orange a principality, which he left to his daughter; but history supplies no evidence of any such dynasty, and the title of *prince* belongs to a much later age. A list of counts with greater claims to historical being begins in the middle of the ninth century; but it is not till the end of the eleventh, till the days of the first Crusade, that we come to counts of Orange who stand out as distinct historical figures. Between these two dates the Burgundian kingdom had arisen out of the falling to pieces of the Carolingian Empire, and it had been again united to the Imperial crown, along with its fellow-kingdoms of Germany and Italy. This must always be borne in mind, lest any one should mistake Orange for part of France or for a fief of the crown of France. In those days, and for ages after Arles no more

thought of bowing to Paris than Paris thought of bowing to Arles. Of the kingdom of which Arles was the royal city, and to which it often gave its name, Orange was a member. Its counts were vassals of the Emperor in his character of King of Burgundy or Arles; but they were not his immediate vassals. The immediate superiority over the county was at least claimed by the Counts of Toulouse, not in that character in which they were nominal vassals of the Parisian crown, but by virtue of their claims to the Imperial fief of the Provençal March. The first of the Counts of Orange whose name has made its way into general history is Raimbaud (Regenbald) the Second, whom the chroniclers of the first Crusade speak of as one of the most valiant warriors of that expedition. His memory is preserved by a modern statue in the market-place of Orange, raised at the joint cost of a King of the French who bore rule over his dominions and a King of the Netherlands who had succeeded to his title. Presently we find the county divided between two or more members of the same house, and towards the end of the twelfth century, one half is, by virtue of two distinct bequests, found in the hands of the knights of Saint John.

It is strange that it is to this time of division that the local writers attribute the elevation of the county to the rank of a principality. During the twelfth century, Orange had its share in the refinement and gaiety which was spread over the south of Gaul. Another Count Raimbaud who succeeded in 1150 appears as a troubadour and a patron of troubadours, a master of the amorous poetry of Provence, a good knight after the fashion of the time, and deeply devoted, also after the fashion of the time, to a countess of the neighbouring land of Die. As this fantastic count left no children, his share in the county passed to his brother-in-law, Bertrand des Baux, one of a house famous in Provençal history, and from whom sprang a succession of counts and princes who bore rule over Orange. Bertrand himself, so the story goes, was the first to receive the title

of Prince by an Imperial grant, a grant bestowed by the hand of Frederick Barbarossa as he passed by Orange on his way to his Burgundian crowning at Arles. Certain it is that before long the famous title of Prince of Orange is found commonly in use, and the title is one that should be remarked. The vague title of *Prince*, as distinguished from the more definite Count, Duke, or Marquess, is exceedingly rare. There was a Prince of Orange, and there was a Prince of Aberffraw and Lord of Snowdon; but one may doubt whether a journey from the hill of Orange to Snowdon would have found a third ruler described in exactly the same way. One would be glad to know the cause for the grant of so unusual a title, one which is said to have been accompanied by the right to coin money, not only in the principality of Orange, which would be nothing wonderful, but through a region defined as stretching from the Isère to the Mediterranean, and from the Rhone to the Alps. Within the same limits the prince so privileged might also march with banners displayed. The geographical limit is remarkable; it takes in the whole kingdom of the Cis-jurane Burgundy, except Bresse and the county of Vienne. It would be a gain if some scholar who has gone minutely through the documents of Frederick's reign would decide as to the possibility of such a grant being genuine.

When we get to Frederick the Second, the local writers make a yet more exalted claim on behalf of Raimbaud's son William, who, they say, received from Frederick, as yet only King, a charter dated at Metz in 1215, which confirms all the privileges granted by his grandfather, and further grants to William the whole kingdom of Arles and Vienne, with the title of King. M. Huillard Bréholles, the editor of the documents of Frederick the Second's reign, inserts the alleged grant, but, as the actual charter is not forthcoming, with some degree of doubt. He suggests that the real grant did not confer the kingdom itself with the royal title, but merely the vicariate of the Empire within its bounds. That something which conveyed rights of

some kind within the whole Cis-jurane kingdom was granted by Frederick the Second seems clear from the fact that a later Prince of Orange, Raymond, the son of William, made a formal renunciation of all such rights to Charles of Anjou. Certain it is that, whether as vicars, princes, or kings, the lords of Orange could not escape the superiority of their more powerful neighbours. Throughout the thirteenth century the Princes of Orange continued to do homage to Provence for the greater part of their dominions, and to the Dauphins of the Viennois for some particular castles. All these details and questions have their interest, as part of the history of a half-forgotten kingdom, and as illustrating the strange crossing of rights which was constantly happening in that corner of the Empire where the Imperial power was least felt.

Under the house of Baux the whole principality was reunited; the city was the dwelling-place of the princes; their castle rose on the hill above the theatre, and they kept possession of the tower into which the triumphal arch had been turned. Yet Orange was not untouched by that spirit of municipal freedom which for a moment created commonwealths in Provence no less than in Italy, and which aroused once more the old spirit in the regenerate republic of Massalia, a spirit as bold to withstand the might of Charles of Anjou as it had once been to withstand the might of the first Cæsar. Orange, the capital of a principality, the dwelling-place of a prince, could never become a wholly independent commonwealth, as Avignon, no less than Marseilles, did for a moment. But under an elective council and elective *syndics*—a name afterwards exchanged for the more usual title of *consuls*—the city had large municipal privileges. And once, in 1247, we hear of a popular revolt which looks like an attempt at gaining something more than any merely municipal rights. The citizens rose with their syndics at their head; they barricaded streets and fortified houses, but they were presently won over by the eloquence of their Bishop to submit. They

received an absolution from him and an act of oblivion from the Prince; they engaged that an oath of allegiance should be sworn every ten years, and that the keys of the city should be placed in the hands of an officer of the Prince. When we look at Orange now, and see a mere country town with no signs of importance of any kind besides its two great Roman monuments, we are tempted to smile at the notion of the question between princely and republican government having been ever fought out on so narrow a field. Yet the narrower the field, the higher is the real interest. Venice and Genoa and Florence could not fail to be free in any age save one of vast kingdoms and standing armies. It is when we see the same spirit at work in much smaller places that we best learn how deep and living that spirit was through all Western Europe. In what I am now writing I lay no claim to original research. In truth a very wide and rich field for historical research of every kind is to be found among these Burgundian cities and principalities. We are attracted to them mainly by their Roman antiquities, but their later history has really a far higher importance. Once get rid of the thought that France had anything to do with these lands in any character but that of a constantly encroaching enemy, and their history stands out in its true light. It stands out as the history of that one among the Imperial kingdoms which was most left to itself, and which therefore had the very fairest opportunities of developement in every direction, till the coming of Charles of Anjou crushed all its rising hopes. The fate of those lands would be very different, if great cities like Lyons and Marseilles had still kept the freedom which, in another corner of the same ancient kingdom, the far smaller cities of Bern and Geneva have known how to keep. Had the Middle Kingdom lived on in any shape, had a greater Switzerland stood interposed as a neutral territory along the whole length of the frontier between France and Italy, the whole destinies of Europe might have been changed for the better.

The steps by which France gradually gained, first influence, then dominion, in Orange and the neighbouring lands are well worth tracing out. The siege of Avignon by Lewis the Eighth in his Albigensian crusade first showed the Imperial Burgundy how dangerous a neighbour was growing up to the north-west of it. The acquisition of Provence by Charles of Anjou, though it in no way changed the formal relations of the Burgundian states to their Imperial over-lord, put a French prince in possession of the most powerful among them. A path for French influence was thus opened among the Burgundian states, just as, by the later acquisition of the Sicilian crown by the same prince, a like path was opened among the Italian states. Princes of Orange had now to do homage to a brother of the King of the French. In the next century they had to do homage to the heir of the French kingdom. In 1349 Raymond Prince of Orange did homage to Charles of France, the future Charles the Fifth, for the castles which he held within the Viennese Dauphiny. He had done homage for them to Humbert, the last independent Dauphin, a homage in which the rights of the Emperor were expressly saved. By the sale of the Dauphiny the rights of Humbert had passed to a French purchaser. I know not whether the Imperial over-lordship was reserved in this more dangerous homage, but most likely it was. For the French Dauphins received the Dauphiny as a fief of the Empire, and the Dauphin Charles himself received from his Imperial namesake the vicariate of the kingdom of Arles. But from this time the superiority of the Empire is but a name; the superiority of France is a reality. And it is significant that the homage of Raymond to Charles was done on a spot which was the first fruits of direct French aggression against the Imperial lands in this quarter. It was done at Lyons, once a free Imperial city like Köln or Nürnberg, but which had now sunk to be a portion of French soil, the great stealing of Philip the Fair, the forerunner of the stealing of Strassburg by Lewis the Great.

Presently, in 1393, Orange passed by female succession to the house of Challon—not *Châlons=Catalauni*, but *Challon* or *Châlon=Cabillo*—in the ducal Burgundy, the place where our Edward the First had to fight so hard for his life in the tournament which grew into a petty battle. John of Challon was a prince without dominions, but in him the principality of Orange passed to a French lord, though the new dynasty does not seem to have been always specially anxious to bend itself to the new yoke.

Under the princes of the house of Challon, John, Lewis, William the Seventh, and another John, the history of Orange practically becomes part of the history of France. The first two amongst these princes appear in French history as zealous partisans of the Burgundian faction. The name reminds us of changes in the use of language; the chief and obvious meaning of the Burgundian name is now no longer an Imperial kingdom but a French duchy. William the Seventh sets up a parliament—a parliament in the French sense—in his principality. His subjects complain of the oppressions of the new tribunal, and seek for the right of appeal to some other quarter. Frederick the First and Frederick the Second had both played a part in the affairs of Orange, but most likely it did not come into the head of any man in the principality that his appeal ought of right to be carried up to the courts of Frederick the Third. The days were past when any cause in the Burgundian realm could be reserved unto the hearing of Augustus. But there was one nearer who was ready to hear anything. Lewis the Eleventh fanned the discontent of the people; he seized the Prince, and only let him go when he had done homage in the fullest terms, and had consented that from his new parliament of Orange there should be an appeal to the parliament of Grenoble. Still old forms so far lingered on that it was not to the King of France but to the Dauphin of the Viennois that the homage was paid, and good King René, in his character of Count of Provence, grumbled, reasonably but in vain, at the doings of his mightier kinsman.

Presently Provence itself became a French possession, and Orange was hemmed in on all sides, save where it had the Papal dominions for a still nominally independent neighbour. With such a state of the map as this, Lewis the Twelfth could afford to undo the act of Lewis the Eleventh, and to declare John the Second of Orange a sovereign and independent prince. The attempts of Francis the First to undo this concession drove John's successor Philibert back to the old allegiance, and a Prince of Orange fought at Rome and at Florence in the cause of Cæsar when the cause of Cæsar was no longer the cause of right. By the will of Philibert the principality passed to the most famous of all its dynasties, but the dynasty which had least to do with the principality and city of Orange. It was the dynasty which has made the name of Orange glorious in all lands, so glorious that Orange itself has been well-nigh forgotten in the glory of its distant sovereigns. In 1531, with René, first and last of his name, begins the connexion of the old Burgundian county with the house of Nassau, and thereby, for a single reign, with the kingdoms of England, Scotland, and Ireland.

The geographical confusions of which I spoke at the beginning of this essay are proof enough that the position of the Princes of Orange of the House of Nassau is to many minds a sore puzzle. Nor is the puzzle wonderful. Here were princes, taking their title from a city which some of them never saw and their possession of which was always not a little precarious, and also playing the first part in the affairs of a distant country in which they are private men, or at most elective magistrates. Simply as Princes of Orange, William the Eighth, Maurice, and William the Tenth would hardly have filled the place in history which they do. Their natural powers would hardly have found full scope for their exercise within the narrow field of their own dominions. It was because the Princes of Orange, being in themselves what they were, were also the first nobles in the outlying dominions of the Spanish crown, that

they were able to do what they did do. But there can be no doubt that their princely rank did very much to help them. It added nothing to their real strength, it added little to their wealth, but it gave them a position which was no small gain. The Prince of Orange was not merely first citizen, first noble, first magistrate, of a great commonwealth; he was technically the peer of any sovereign with whom he had to deal. Within the commonwealth itself the union of the two positions might be a dangerous one. Had the chief magistrates of the great Federal republic not been princes, they might not have grown into hereditary stadholders, and at last into kings. But we may be sure that William the Eighth—William the Silent as he appears elsewhere—drew no small part of his real strength from the fact that he also was William the Eighth, sovereign Prince of Orange. That he was such a sovereign prince, owning in that character only one superior on earth, he never himself forgot, though the words in which he asserted his own dignity as a free prince of the Empire, have been misunderstood in times in which men seem to have forgotten what the Empire was. It is certainly amazing to find in the text of a well-known history the statement that 'it had been argued that "the Prince of Orange, *having his principality of his title in France*, might make lawful war upon the Duke of Alva,"' and then to look to the reference in the note to an original document which says—

'Aliqua ratione injuriosum videri potest immiscere se actibus et litibus exterorum principum, qualis est iste princeps Orangianus, quem constat liberum esse *principem imperii*, et, ut apparet, cum ipsi imperatori et statubus imperii acceptum, tum etiam Galliarum regi, *in quo regno possessionis multas obtinet, satis gratum.*'

The position of the Nassau princes of Orange is not without its parallel in our own time. Hemmed in between the Swiss cantons of Saint Gallen and Graubünden and the Austrian county of Tyrol, lies the almost invisible principality of Liechtenstein. Since 1866 the Prince of Liechtenstein, no longer a member either of the old German

Confederation or of the new German Empire, must be looked on as a prince absolutely sovereign and independent, acknowledging no feudal or federal superior. But the actual importance of the Prince of Liechtenstein is drawn less from the possession of his tiny sovereignty—a sovereignty which I believe numbers about half as many subjects as the smallest Swiss canton numbers citizens—as it is from the great estates which he holds as a subject in the kingdom of Bohemia. If Bohemia should ever see a new *Praguerie* or a new *Defenestratio*,* a Prince of Liechtenstein might play the part of a Prince of Orange, and he might play it all the better for being the sovereign prince of a principality, however small.

During the time of the Nassau princes, the history of Orange itself comes to little more than a series of revolutions by which France commonly took possession of the principality whenever there was any ground of quarrel, and gave it back again at the next treaty. Under William the Eighth we find, besides religious disturbances, a popular revolt against the absent prince, then but fifteen years of age, which seems a strange beginning for such a career as his. We find too a not altogether inappropriate competitor set up by France against him who was to be the great Protestant champion. For several years the government of Orange was carried on in the name of Mary of Guise as its Princess. If England then had one sovereign in common with Orange, Scotland may be said to have had, if not two sovereigns, at least two princesses. Maurice, so famous in other wars, made the castle of Orange into one of the strongest fortresses in Europe. Lewis the Fourteenth, in one of his seizures during the reign of the last William, swept the work of Maurice away, and its ruins are now not to be distinguished, except by the keen eye of the military antiquary, from the ruins of so many earlier buildings on

* [I was not thinking, in 1875, of those rather stirring scenes of Bohemian history which are still acting before the eyes of those who can see.]

the same site. When William the Tenth of Orange set forth for the deliverance of England, his own principality was in possession of the enemy. But the old motto 'Je maintiendrai,' which his kinsman René had filled up with so small an object as 'Challon,' was filled up by him with nothing short of the 'Protestant religion and the liberties of England.' With him Orange, as a separate state, came to an end. His bequest of the principality in favour of a prince of his own house was set aside; so were the claims of Frederick of Prussia, which, if they had been made good, would have made the house of Brandenburg lords of another outlying possession yet further off than Neufchâtel. On the nominal principality of the house of Conti I will not waste a sentence. The absolute incorporation of the principality with the now French province of Dauphiny might be delayed till 1731, but from 1714, by virtue of the treaty of Utrecht, Orange became in every practical sense a part of the French dominions. Since that time, Orange has been a rather insignificant French town, and nothing more. Independent Orange, besides its Prince, its Bishop and his Chapter, had its Parliament, its University, and its Consuls. All that it seems to have now is a Mayor, whose placards, stuck upon the walls at the time of a local election, show by their strength of language that municipal French may go far to dispute the prize of the art of scolding even with papal Latin. *

* [1874.]

V.

AUGUSTODUNUM.*

(1) *Traduction des Discours d'Eumène.* Par M. l'Abbé LENDRIOT et M. l'Abbé ROCHET. Accompagnée du Texte, &c., &c. Par M. l'Abbé ROCHET. Publication de la Société Éduenne. Autun. 1854.

(2) *Cartulaire de l'Église d'Autun.* Publié par A. DE CHARMASSE. Publication de la Société Éduenne. Paris et Autun. 1854.†

IN another volume we set forth the claims of Augusta Treverorum, *Trier, Trèves*, of its history and of its monuments, to the study of those whose thoughts lead them to the transitional ages of European history, and to the part which the city on the Mosel, the dwelling-place of Constantine and Valentinian, played in the events of those stirring times.‡ From Trier we may feel almost naturally called to another famous Gaulish city with which Trier is in some sort brought into a sisterly relation. We cannot go through our chief authorities for the great days of the city of the Treveri without having the city of the Ædui brought

* [I am sorry to say that this paper is the result of one visit only to Autun, in January, 1881.]

† These two volumes are among the many publications of an active local society, which still cleaves to the ancient name of the district which is the scene of its work. We can bear witness, by experience on the spot, that several others of the Æduan Society's books are of real use in working out Æduan history on Æduan soil. But, alas, some of the most valuable of them are not to be bought, either at Autun or seemingly elsewhere. Writing away from Autun, we have been confined to such help as was to be got from the two whose names we have copied.

‡ Third Series, p. 68.

strongly home to our thoughts. From Augusta Treverorum by the Mosel we are taught to look to Augustodunum by the far smaller and less famous Arroux. And from both, in the days of their common greatness, we are further led to cast our eyes over a far wider space, even to the distant Illyrian land whence in that age came forth the chosen rulers of mankind. Our thoughts flit to and fro between Trier and Autun, they flit from both to Naissus and Salona, when an orator from the banks of the Arroux sets forth by the banks of the Mosel how much both the city of his birth and the city of his sojourn owed to Cæsars and Augusti from beyond the Hadriatic. Trier is the city of the panegyrists; but one of the chief of the panegyrists, if he spoke at Trier, came from Autun, and made Autun his theme rather than Trier. We thus get pictures of the two cities in the same age, the age which was the most flourishing of all ages for the city of the Treveri, and which seems to have been a time of renewed splendour for the city of the Ædui. Eumenius, Athenian by descent, but by birth, by education, by local feeling, a loyal son of Autun, came to Trier, as the Imperial seat of the West, to plead for his native city, to return thanks for good deeds done to his native city, to set forth the praises of the princes by whom his native city had been brought back to somewhat of the flourishing state from which she had been lately cast down. Two generations of the Flavian house listened to the honeyed words of the orator whose heart, and the hearts of his countrymen, professed to be lifted up with joy because Augustodunum had for a moment changed its name to Flavia. Eumenius came to speak the panegyric of the elder Constantius, while he still held only the rank of Cæsar. The Cæsar could not be praised without adding the praises of his father the Augustus, and the Augustus of the West could not be praised without adding the praises of the mightier Augustus of the East, whose will alone had called the other princes of the Roman world into their Imperial being. The orator of Autun pays his homage to

Constantius at Trier; but he must also pay his homage to Maximian, the official chief of his own ruler, and to Diocletian, father and lord of all. Thus, as we trace out the great works of Roman power at Autun, memory makes its way by only a few stages, not only to the Black Gate of Trier, but to the columns of Herculius at Milan and to the arcades of Jovius by the Dalmatian shore. As the Æduan orator had come to praise the father, so he came on the same ground to praise his yet more famous son. Constantine, already Augustus but not sole Augustus, lord of York and Trier but not yet lord of Rome, listened, perhaps with equal good will, to the discourse which set forth his merits as the second founder of the Æduan Flavia, and to the discourse which hailed the return to good old Roman ways, when the Treveran amphitheatre beheld his Frankish captives helpless in the jaws of the wild beasts.* The future founder of a new and Christian Rome, the future president of the first œcumenical synod of the Church, was then satisfied to be addressed as the favourite of Apollo by the pagan orator who returned thanks for the restoration of a pagan city.† Trier was the favoured spot which rejoiced to be before all others his special dwelling-place;‡ but Autun too had once at least seen his face, and she rejoiced to think of his bounty and to remember that she bore his name. The elder city of the Ædui, Bibracte, famed in the days of the first Cæsar, had been honoured with the name

* See the passages in Eumenius' Panegyric of Constantine, 11; 12, commented on in Third Series, p. 96.

† The reverence of Constantine for Apollo—'Apollo tuus'—comes out in the Panegyric, 21.

‡ Eumenius begins the *Gratiarum Actio* with this flourish: 'Si Flavia Æduorum, tandem *æterno nomine* nuncupata, sacratissime Imperator, commovere se funditus, atque huc venire potuisset, tota profecto coram de tuis in se maximis pulcherrimisque beneficiis una voce loqueretur; tibique restitutori suo, imo, ut verius fatear, conditori, in ea potissimum civitate gratias ageret, cujus eam similem facere coepisti.' So cap. 2: 'In hac urbe, quæ adhuc assiduitate præsentiæ tuæ præ ceteris fruitur.'

of the Julii of the elder line. So had Florence by the banks of Arno; so had Pola in the Istrian peninsula. But the newer city of the Ædui had now a name, less ancient, but, it is implied, more glorious. She was now Flavia, the city of the princes who had called her into a second being.*

The discourses of this courtly orator, while supplying some of our materials, such as they are, for the general history of the time, supply our very best materials for the local history of his own city in the days when Augusto-dunum rejoiced to be called Flavia. In his day, in his pages, Autun fully makes good her claim to be counted as one of the same group, though assuredly the least member of the group, with Spalato, Trier, and Ravenna. That group might fairly be looked on as stretching from York to Nikomêdeia; but it is the sisterhood of Trier and Autun which is naturally the theme of the Æduan panegyrist haranguing in the Treveran palace. The bounty of Constantine had enabled Autun to put on the likeness of Trier. And it certainly is remarkable that, among all the cities of central and northern Gaul, these are the two which to this day stand out most conspicuously for the number and grandeur of their abiding Roman buildings. But the special glory of which Autun was specially to boast itself, the possession of the Flavian name, has utterly passed away; but for the witness of Eumenius itself, the world might have wholly forgotten that Autun had ever

* The Gratiarum Actio ends as it begins: 'Omnium sis licet dominus urbium, omnium nationum, nos tamen etiam nomen accepimus tuum, jam non antiquum. Bibracte quidem huc usque dicta est Julia, Pola, Florentia; sed Flavia est civitas Æduorum.'

There has been a vast deal of disputing over this passage, which may be seen in the opening chapter of the 'Notice Historique sur Autun,' in the edition of Eumenius at the head of this article. M. Rochet, like others before him, labours hard to prove that Bibracte was called Pola and Florentia. But the plain meaning is; 'Bibracte may be Julia, like Pola [Pietas Julia], Florence, and many other places.' See also Bouquet, i. 24.

borne it. Autun has been for ages as little used to the name Flavia as Trier has been used to the name of Augusta. But, while Trier cast aside its Imperial title altogether, Autun threw aside a later Imperial title to fall back on an earlier one, which has lived on, with a mere contraction, to this day. Augusta Treverorum has for ages been simply *Treveris* or *Trier*; Augustodunum is to this day *Autun*. And the difference in the history of the names points to some important differences in the history of the two cities.

The Ædui, friends and brothers, as they delighted to be called, of the Roman people, held the highest place among the nations of central Gaul. Their friendship and brotherhood was acknowledged by the Romans themselves. It was a special badge of distinction. Rome had many allies; the Ædui were her only brothers.* The brothers of Rome were naturally the first among the nations of Gaul to find their way into the Roman Senate. Such a privilege as this is naturally made the most of by the Æduan orator speaking before the throne of Constantine. Rome had had other faithful allies; but they had become her allies from motives of self-interest. Saguntum had sought the alliance of Rome in hopes of enlarging her own dominion in Spain. Massalia had sought it in hopes of winning Roman protection against barbarian neighbours. The Mamertines in Sicily, boasted children of Mars, the people of Ilios, boasted metropolis of Rome, had striven to assert a kindred with Rome by dint of cunningly devised fables. The Ædui alone had, neither out of fear nor out of flattery, but of their own free will, become the brethren of Rome on equal terms by willing adoption.† Rome and Autun, in the

* Strabo, iv. 3: *οἱ δὲ Αἰδοῦοι καὶ συγγενεῖς Ῥωμαίων ὠνομάζοντο καὶ πρῶτοι τῶν ταύτῃ προσῆλθον πρὸς τὴν φιλίαν καὶ συμμαχίαν.* Cf. Tacitus, Annals, xl. 25.

† Gratiarum Actio, 3: 'Fuit olim Saguntus fœderata, sed cum jam tædio Punici belli novare imperium omnis cuperet Hispania; fuit amica Massilia; protegi se majestate Romana gratulabatur; imputavere se origine fabulosa in Sicilia Mamertini, in Asia Ilienses; soli

ideas of the orator of Autun, were sister cities of equal dignity. We must remember that, now that all subjects of the Empire were alike Romans, the local Rome had lost somewhat of her pre-eminence. It may be that Eumenius himself would have shrunk from uttering such words, had he been speaking in the immediate presence of the Capitoline Jupiter to a prince born and bred among the associations of the Tiber and the Palatine. No such feelings checked the local patriotism of a Gaulish orator speaking on Gaulish soil, returning thanks to an Emperor to whom the Palatine was as yet an unknown hill and the Tiber an unknown stream. He who now held his court by the Mosel had drawn his first breath by the Morava, and had been proclaimed Augustus by the Ouse. The Ædui, sharing equal love and equal dignity with their Roman brethren, had by that brotherhood drawn on them the envy of other Gaulish nations. They had borne the brunt of German invasion in the cause of their brethren. In their need they had sought for Roman help. An Æduan orator, pleading the brotherly covenant in the Roman Senate, had refused the offered seat in that assemblage of kings, and had chosen rather to make his speech in warrior's guise, leaning on his shield.* It was by Æduan invitation that Cæsar had crossed the Rhone; it was by Æduan help of every kind that Cæsar and Rome had advanced to the dominion of Gaul. It was they who, adding to Rome whatever they won from barbarian neigh-

Ædui, non metu territi, non adulatione compulsi, sed ingenua et simplici caritate fratres populi Romani crediti sunt, appellarique meruerunt; quo nomine, præter cetera necessitudinum vocabula, et communitas amoris apparet et dignitatis æqualitas.' [So too the descendants of the mixed multitude which Agathoklês planted at his Dikaiopolis soon became true Trojans of Segesta, and as such, claimed and received the favour of their Latin kinsfolk.]

* Gratiarum Actio, 3: 'Princeps Æduus in senatum venit, rem docuit; cum quidem oblato consessu, minus sibi vindicasset quam dabatur, scuto innixus, peroravit. Impetrata ope, Romanum exercitum Cæsaremque eis Rhodanum primus induxit.' See Merivale, i. 276.

bours, had brought all the Celtic and Belgian tribes, all the lands between the Rhine, the Ocean, the Alps, and the Pyrenees, within the blessings of the Roman peace.*

If we turn to Cæsar's own Commentaries, we shall find that this is a somewhat rose-coloured picture of the relations between the Roman people and their Gaulish brethren. The general result is perhaps not unfairly stated. The merit or demerit of making Gaul a part of the Roman dominion must certainly be allotted to the Æduan nation. But the undoubting trust on the part of the Roman, the unswerving loyalty on the part of the Gaul, which we might infer from the picture of Eumenius, are hardly to be found in the narrative of Cæsar. We shall there see that the brethren were quite capable of playing a double part against each other, and that the Ædui, as well as other people, revolted and had to be subdued before the Roman Peace became an abiding thing.† We see among them the same party struggles as among other nations; we see the friends of Rome and her enemies, and we see her friends and enemies among those who were brothers in a more literal sense than Romans and Æduans were. There is Dumnorix, the ever-plotting enemy of Rome; there is the hero of the tale of Eumenius, nameless in the pages of the panegyrist, but who lives in those of Cæsar and Cicero by the famous name of Divitiacus. The Druid, skilled in the lore of his own people, who sojourned at Rome, the friend of her greatest orator and her greatest captain, the lover of Roman arts and culture, the steady ally of Rome and of Cæsar, the intercessor for the brother who withstood them,‡

* Gratiarum Actio. 3: 'Ædui totum istud quod Rheno, Oceano, Pyrenæis montibus, cunctis Alpibus continetur Romano imperio tradiderunt, hibernis hospitaliter præbitis, suppeditatis largiter commeatibus, armis fabricandis, pedestribus equitumque copiis auxiliantibus. Ita in unam pacem societis omnibus Celtarum Belgarumque populis, eripuere barbaris quidquid junxere Romanis.' Compare the more moderate statement of Strabo, iv. 3.

† See Cæsar, Bell. Gall. vii. 42.

‡ Ibid. i. 20.

is, in all things save one, a type of his people. It is strange, as Dr. Merivale notes, that so firm a friend of Rome, a missionary in some sort of Roman culture, had no mastery of the Latin tongue, and had, on solemn occasions at least, to speak to his Roman friends by the mouth of an interpreter.* But we are well pleased to make the acquaintance of the Æduan people in the form of clearly marked personalities like those of Divitiacus, Dumnorix, and Liscus. We get too some constitutional details of the Æduan commonwealth. Jealous indeed were the Æduan people of the overweening ascendency of any man or any family among them. The chief magistrate, the *Vergobret*, was chosen for a year, and, however long he survived his year of office, none of his house could be again chosen during his lifetime. But party influence sometimes overcame law among the Æduans, no less than among their Italian brothers. When the Æduan Cotus claimed to fill the highest post in the Æduan state by an irregular succession to his own brother, he might have defended the breach of local law by the example of Gaius Marius, who had so often held the Roman consulship in yet more irregular succession to himself.†

* Bell. Gall. i. 19: 'Divitiacum ad se vocari jubet [Cæsar], et quotidianis interpretibus remotis, per C. Valerium Procillum, principem Galliæ provinciæ, familiarem suum, qui summam rerum omnium fidem habebat, cum eo colloquitur.' This plainly shows (see Merivale, i. 276) that Divitiacus could not speak Latin [at least such Latin as would befit the ears of Cæsar]. Cicero's witness is given in his De Divinatione, i. 41: 'In Gallia Druidæ sunt, e quibus ipse Divitiacum Æduum hospitem tuum laudatorumque cognovi, qui et naturæ rationem quam physiologiam Græci appellant notam esse sibi profitebatur; et, partim auguriis, partim conjectura, quæ essent futura dicebat.'

† Ibid. i. 16: 'Summus magistratus quem vergobretum appellant Ædui, qui creatur annuus, et vitæ necisque in suos habet potestatem.' The law against re-election comes out in vii. 32, 33. There were two rival *vergobrets*, as there have sometimes been rival governors in some American states: 'Summo esse in periculo rem, quod, cum singuli magistratus antiquitus creari atque regiam potestatem annum obtinere consuessent, duo magistratum gerant, et se uterque eorum legibus creatum esse dicat.' Of these Cotus had succeeded his own brother, and had been appointed in an irregular assembly.

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The primacy of the Æduan state among the nations of central Gaul was not always undisputed.* The Ædui had standing rivals in the Arverni, the people of the volcanic land of Auvergne. In the revolutions which come within Cæsar's own narrative, the first place passes to and fro between the Ædui and their neighbours beyond the Arar or Saone, the Sequani, the people of the later Burgundian county.† Like the other leading nations of Gaul, like their Roman brethren themselves, the Ædui were at the head of a following of other tribes, whom Cæsar, borrowing a word from the domestic rather than the foreign relations of his own city, speaks of as their clients.‡ An Æduan political inquirer might have given no higher name to Samnites and Etruscans, as they stood before the arms of Sulla gave either citizenship or destruction to all Italy. Æduan dominion or headship was thus spread over a large extent of central Gaulish territory. The land of the ruling race and of their confederates or subjects occupied a great part of the course of the Saone and the Loire. It is not without a certain fitness that the modern department which contains their capital bears the name of those two rivers. But that modern department, though it marks the later centre of the nearer Æduan power, takes in only a small part of the Æduan

Cæsar therefore, when appealed to, deposed him. 'Quum leges duos ex una familia, vivo utroque, non solum magistratus creari viarent, sed etiam in senatu esse prohiberent.' His rival Convictolitanes, 'qui per sacerdotes, more civitatis, intermissis magistratibus, esset creatus, potestatem obtinere jussit.'

* Pomponius Mela (iii. 2) marks their position very emphatically: 'Aquitanorum clarissimi sunt Ausci, Celtarum Ædui, Belgarum Treveri, urbesque opulentissimæ, in Treveris Augusta, in Æduis Augustodunum, in Auscis Climberrum.' See the note in Bouquet, i. 51. We are concerned only with Augusta and Augustodunum.

† Bell. Gall. vi. 12. The result of the changes is 'Ut longi principes haberentur Ædui, secundum locum dignitatis Remi obtinerent.' The Sequani are thus altogether put aside. See Strabo, iv. 3, where he makes an odd confusion as to the rivers Saone and Doubs.

‡ Bell. Gall. vi. 12: 'Summa auctoritas antiquitus erat in Æduis, magnæque eorum erant clientelæ.' He goes on using the word as a technical term, as it seems to have become with modern historians.

dominion. In those various degrees of alliance and dependence which came under the name of 'clientship,' that dominion stretched over the land from the dwellings of the Turones on the one hand to those of the Ambarri on the other. In more familiar geography, it took in Tours at one end, and Bresse and Forez on the other; it had what was to be Anjou for a neighbour on one side, and what was to be Savoy for a neighbour on the other. Yet, while most of the tribes of northern and central Gaul still survive on the map in the names of modern cities, the great nation of the Ædui has left no trace in the name of either city or district. As the Treveri survive at Trier, so do the Turones at Tours, the Senones at Sens, the Bituriges alike in *Bourges* the city and in *Berry* the land. But the Ædui have vanished. Their name is in constant use in mediæval documents; but it is easy to see that it is only in artificial use. In the long records of the church of Autun, the name of Autun, in either its earlier or its later shape, is far less commonly used than phrases like 'Ædua civitas,' 'ecclesia Æduensis.'* But the fact that, contrary to rule, the name of the city, not the name of the tribe, has lived on in modern times shows that formulæ like these must always have been in the nature of archaisms.

The reason why the city of the Ædui did not follow the same law of nomenclature as the cities of the Bituriges, the Senones, and so many others of their neighbours, is not far to seek.† Avaricum was the city of the Bituriges, Agenticum was the city of the Senones; so to be

* This will be seen at once by turning over the pages of the cartulary of the church of Autun; but the opposite result will come in looking through the narratives, historical and legendary, in the second volume of Bouquet. 'Augustodunum' and 'Augustidunum' are the usual forms. 'Urbs Ædua,' 'civitas Æduorum,' are found, but seemingly only in the high polite style, as in the second Life of Saint Leodgar (Bouquet, ii. p. 630).

† This, of course, applies only to the capital of each nation; smaller posts constantly kept their local names, as in the Æduan land itself 'Autissiodorum' and 'Nevernum' remain in the form of Auxerre and Nevers.

was the cause of their being. The tribe name was greater than the city name, and it gradually supplanted it. Augustodunum, like Cæsarodunum among the Turones, is a name of a different class, a class which bear the direct Roman and Imperial stamp. Such names have often survived, as Aureliani in the form of *Orleans*, Constantia in the form of *Coutances*; though the instance of Cæsarodunum itself, more renowned under the illustrious name of *Tours*, proves that the rule is not invariable. And the name of Augustodunum had every chance of living. The city which bore it was the head of the Ædui, but it was something more. So Augusta Treverorum came to be, in quite another way and in a far more emphatic sense, something very much more than the head of the Treveri. Still Trier, dwelling-place of Emperors, was itself the old Gaulish post, which had grown into a Roman and an Imperial city. It began as the city of the Treveri in every sense, and it remained so amidst all its added greatness. But Autun was not in this sense the city of the Ædui. To Trier Augusta was a mere surname; Augustodunum was from the beginning the personal name, so to speak, of the city which bore it. That city was not a Gaulish hill-fort, occupied as a military post, and so gradually growing into a Roman town; it was a new city on a new site, deliberately laid out from the beginning on a great scale, and meant to hold, as a Roman city, a high place among the cities of Gaul. It was the head of the Ædui, but it was not the old head of the Ædui; it was not the traditional spot to which the tribe name would traditionally cleave. It was 'Æduorum civitas;' but it was so only in an official and rhetorical sense, not in the full sense in which, as Augusta was 'Treverorum civitas,' so Agenticum was 'Senonum civitas.' Augustodunum, the Roman city, had supplanted the older Gaulish head of the tribe in its rank and honours. In other words, Autun is Augustodunum; in a sense it is 'Æduorum civitas;' but there is another spot which was 'Æduorum civitas' in a sense in which Augustodunum was not. The

Flavia of Eumenius is quite distinct from the Julia of Eumenius; in other words, Augustodunum is not Bibracte.

The name Augustodunum proclaims itself without further question to be later than the days of the Dictator. The towns within the Æduan land which find a place in Cæsar's story are Bibracte and Noviodunum. Of the many places bearing this latter name which are to be found in Gaulish geography, the one with which we are now concerned is the post on the Loire which afterwards bore the name of Nivernum or Nevers. The eye of Cæsar had marked the advantages of the site, where the hill, in after days to be crowned by the church of the bishops and the palace of the dukes of Nevers, rises close above the rushing flood of the greatest of purely Gaulish rivers.* Here he had gathered together all his stores, his horses, hostages, corn, money, and baggage of every kind. But they were gathered together only to become the prey of the revolted Æduans, to be parted out or carried away to Bibracte, the capital of the nation.† Bibracte appears over and over again as the head of the Æduan nation;‡ it is at one stage the meeting-place of the enemies of Rome, § at another stage the winter quarters of Cæsar himself.‖ When Strabo wrote, it is Cabillo that appears as the city of Ædui, but Bibracte is still deemed worthy of mention

* Bell. Gall. vii. 55: 'Noviodunum erat oppidum Æduorum ad ripas Ligeris opportuno loco positum.' So Dio, xl. 38, where the Greek form is Νοουιοδουνόν, a spelling of some little importance in the history of the Latin letter V. This Æduan Noviodunum must be distinguished from other places of the same name in Cæsar's narrative.

† Bell. Gall. vii. 55.

‡ Ibid. i. 23: 'Bibracte, oppidum Æduorum longe maximum et copiosissimum.' vii. 55: 'Bibracte, quod est oppidum apud eos maximæ auctoritatis.'

§ Ibid. vii. 63.

‖ Strabo, iv. 3: Αἰδούων ἔθνος, πόλιν ἔχον Καβυλλῖνον ἐπὶ τῷ Ἄραρι καὶ φρούριον Βίβρακτα. Καβυλλῖνον is Cabillo, the modern *Challon* on the Saone, which modern spelling is striving to confound with Catalauni or *Châlons* on the Marne. Cabillo appears in Bell. Gall. vii. 90 as the winter quarters of Quintus Cicero.

as a military post.* The words of Eumenius show that it was one of the many towns in Gaul and elsewhere which received the name of Julia. But between Strabo and Eumenius it would be hard to find another mention of Bibracte. We now hear only of Augustodunum as the Æduan capital, and, as early as the reign of Tiberius, Augustodunum already appears among the chief cities of Gaul.

It has been a point of honour with many local inquirers to maintain that Bibracte and Augustodunum are the same, that the Æduan capital lived on without interruption on the same site, with only a change of name. Yet the passage from Eumenius which has been insisted on as proving the identity of Bibracte and Augustodunum distinctly proves the contrary. Bibracte, otherwise Julia, is opposed to Augustodunum, otherwise Flavia, and the city of the Æduans is declared to be, not Julia but Flavia.† The passage just quoted from Strabo proves the same. It points to an interval when Bibracte had lost its old headship, but when Augustodunum had not yet taken its place. In no other state of things could any one have spoken of Challon as the city of the Ædui, and of Bibracte only as a military post. Monumental evidence also leads distinctly to the same conclusion, namely, that Bibracte was not destroyed,‡ that, under its new title of Julia, it went on as an inhabited town, but that it had yielded the first place among Æduan dwelling-places to the new foundation of Augustus which received his name. On a high hill which may be seen from Autun to the north-west, known as Mont-Beuvray, a corruption doubtless of the ancient name, most extensive remains of a Gaulish and Roman town are to be seen. The description of its defences

* Strabo, iv. p. 3.

† Paneg. vii. 90.

‡ The Abbé Rochet (p. 7), arguing that Bibracte and Autun are the same, takes some pains to show that Bibracte was not destroyed; but there never was the least reason to think that it was, and the monumental evidence now proves the exact contrary.

makes the inquirer long at once to make his way thither. Now the best local opinion, supported by the manifest reason of the case, sets them down as marking the place of the elder Æduan capital. We will not enlarge on them, because we cannot speak of them from personal knowledge. It would be easy to copy descriptions; but there is no life, and not much profit, in such a process. The present literary *vergobret* of the Æduan state, whose help would have been willingly given at a more favourable season, refused all help in January, 1881, and strongly dissuaded any attempt on Mont-Beuvray at such a moment. It was indeed an exceptional time. The Ædui seem to be a people favoured by nature. While the rest of Europe was overwhelmed by snow-storms or driven to and fro of fierce winds, the hill of Augustus enjoyed weather, cold indeed, but cold simply with honest frost, which put no hindrance in the way of research. Not so with the older hill; the height of Bibracte was reported to be deep with snow, and an examination of its ditches to be wholly out of the question. We must be forgiven then, if we simply record the fact that modern research has distinctly shown that Bibracte and Augustodunum are two distinct places, and then go on to speak of Augustodunum and not of Bibracte. For, after all, it is not Bibracte, but Augustodunum, which became the sister city of Trier, which rejoiced in the Flavian name, and received the visit of a Flavian Emperor.

There is then no doubt that the new Æduan city was a new creation of the days of the prince whose name it bears. Whether the hill of Augustus now became for the first time the site of human dwellings we have no means of judging; it is enough that it now became for the first time the site of a great city. At Autun then we have a good opportunity of studying the kind of plan which was followed in that age in founding a great city in a favoured province, in cases where a definite plan could be freely carried out, and where the creators of the new town were not hampered by

older works or older traditions. We are at once struck by the wide difference between the ground-plan of Autun and the ground-plans of two other classes of Roman towns with which we are able to compare it both in our own island and elsewhere. When the city grew out of a Roman camp, whether the camp occupied the site of a Gaulish or British *oppidum* or was first pitched to besiege or to control a Gaulish or British *oppidum*, we are commonly struck by the small size of the original Roman enclosure. It is so at our own Lindum and Eboracum; it is so at that North-Gaulish Mediolanum which has changed into Norman Evreux; it is so in the Norman capital itself, where the name of Rothomagus has, like Augustodunum, been simply contracted, and not wholly cast aside.* At York and Lincoln the greater part of the Roman dwellings must have lain in thickly inhabited suburbs outside the original Roman wall. The other class of towns seems not to have had a military origin. A site was occupied, as caprice or convenience dictated; houses grew up, covering an irregular space: in later times, when the *Pax Romana* had become less sure, the inhabited space was fenced in by a wall which followed its shape and dimensions. Towns of this class show a walled enclosure of much greater size, but of much more irregular shape, than those which were in their beginning strictly *castra* or *chesters*. We might say that Rome itself is the greatest example of cities of this second class, the vastest in its scale, the most irregular in the outline of its walls. What Aurelian did, what, as far as we can see, Servius did ages before him, was to fence in whatever extent of ground had become the inhabited city of their several times. At home we may see an enclosure of this kind at Calleva or Silchester, with its large irregular area so unlike the small square *chester* of the Colony of Lindum.

Autun belonged to neither of these classes. It was not a mere military post which has grown into a city,

* I have given plans of Rouen and Evreux in William Rufus, vol. i. pp. 249, 262.

nor yet a casual collection of houses which it was afterwards found expedient to fortify. As a site deliberately laid out as a great city in the first days of the Empire, it is quite unlike either. Its extent is far greater than the original extent of Lincoln or Evreux; its ground-plan is far more regular than that of Silchester, incomparably more regular than that of Rome. The enclosure forms nearly a regular parallelogram; some change or some special reason has caused a slight departure from this plan at the south-eastern angle; but the parallelogram is regular indeed as compared with Rome or Calleva; it is vast indeed compared with that of the mere camp-cities. Modern Autun, like modern Rome,* like modern Soest, has shrunk up within about half the space fenced in by the walls of Augustus. Modern Autun is in truth a city within a city, even more distinctly than modern Rome. For the forsaken parts of Rome—some of which are now fast becoming again inhabited—were never fenced off by a new wall from the inhabited city of the last four centuries. But modern Autun has its own wall, which on two sides uses parts of the Roman wall, and leaves the remainder of the Roman city outside the new enclosure. Thus the greatest monuments of Augustodunum have to be looked for, sometimes, as at Rome, among fields and gardens—on the hill of Augustus we cannot add vineyards—sometimes on roads so far from the heart of the city as to be almost rural. The Roman wall may be traced through by far the greater part of its extent; sometimes, as we have said, it is employed in the later defences, sometimes it stands free far away from them. The two gateways which are the grandest remains of Augustodunum stand far away from the modern streets, and need a walk of some length to seek for them. It is really one of the best comments on the peculiar history of Autun that the railway-station lies within the Roman wall, within the northern gate, the great gate of Arroux. Still Autun follows the law of all cities. Wherever the *pomœrium* may

* [1881.]

be drawn, suburbs spring up beyond it. Though the great mass of modern Autun lies within the later as well as within the earlier wall, yet scattered houses, and even straggling streets, have here and there made their way beyond the later enclosure, sometimes even beyond the Roman wall itself. At Autun too, as in other cities, monastic settlements arose under the shelter of the fortified enclosure. Here it was not a single great abbey, a Saint Ouen's or a Saint Augustine's, outside the walls. Several considerable monasteries lay outside the later city, and each monastery naturally gathered a little colony of lay dwellings around it.

The site which was chosen for the new city has some likeness to several famous spots in the northern part of our own island. As at Edinburgh, as at Stirling, as at Carlisle, the main street of Autun climbs up the slope of a hill to the highest point, the point occupied as the main fortress. It is no slight ascent from the river, from the ancient river-gate, from the modern railway station, to the *castrum* of Augustodunum, now marked in the general view by the cathedral church of Saint Lazarus. And when the height is reached, the descent on the other, the southern side, is far more steep and sudden than the gradual rise from the north. But the hill of Autun differs widely from the hills which are occupied by the three British towns. It is no mere narrow ridge; a great extent of ground slopes gradually upwards towards the height, and the direction in which it slopes is the opposite to that of Edinburgh, Stirling, and Carlisle. The southern view too on which we look from the *castrum* of Augustodunum is of a different kind from the northern view on which we look from any one of the three British castles. Each of those was, at the day of its foundation, a border fortress looking out on a hostile land. Edinburgh and Carlisle were reared, each in its day, as bulwarks of the northern English land against the Scottish enemy. Stirling was reared as the bulwark of the English realm which had taken the Scottish name against the true Scots of the mountains. But Augustodunum, reared in the heart

of the Roman Peace, looked out on no distant or hostile land. No wild mountains far away lie open to the view from the southern gate of Autun. Neighbouring hills, almost forming part of the city, rising at once on the other side of a narrow valley, form the immediate view from the *castrum*. We might almost say that the Appian way, more strictly the Ostian way, of Augustodunum lay on those neighbouring heights. One of those heights is crowned by one of the chief Roman antiquities of Autun, a tomb which takes the form of a pyramid after the type of that of Gaius Sestius by the gate of Saint Paul. But the pyramid of Autun has been less lucky than its Roman fellow, in that the picking away of all its hewn stone has made it well-nigh shapeless. The tomb on the southern hill is in a manner balanced by another Roman building standing on the northern flat, beyond the gate and beyond the river. This building stands out boldly, with the general air of one of the square donjons which the Norman raised both in his own land and in ours. Locally it bears the name of the temple of Janus; but the name is one of those random guesses with which the inquirers of a past age seem to have been thoroughly satisfied. What it really is it might be hard to say; but it is said that signs have been found showing that it was most likely surrounded by columns, perhaps of wood. Anyhow it makes a chief feature in the view of Autun from many points.

It is the side on which this tomb stands, the north side, the side towards the river, which in its general effect is the most Roman side of Autun. The remains of the wall skirt the banks of the Arroux, and the road which crosses the bridge is spanned by that which, in a general view, is the more effective of the two Roman gates of Autun. Its two great arches, the smaller arches on each side, the tall arcade above, are perhaps even more striking in their present imperfect state than they could have been when Eumenius sang the praises of the Æduan city, or in the earlier days when Tacitus witnessed to its greatness. Grand as the gate seems in

approaching the city from outside, its look is yet more wonderful as we go down to it from within. The peculiar character of Autun helps to increase the effect. We go down through the straggling street of the northern suburb: a range of arches catches the eye, which look at first like the arches of a distant aqueduct. As we draw nearer, the main arches below come into sight, and we see the northern gate of Augustodunum rising beneath us in all its ruined majesty. The eastern gate, known as the Gate of Saint Andrew, is hardly seen from any such effective point, because the road does not lead so distinctly up and down to it. But it is really a better design, and notwithstanding some modern 'restoration,' it is better preserved. It is wonderful to conceive any one not being a Pope 'restoring' a Roman gate, yet the deed has been done both at Rheims and at Autun. In this gate the smaller side arches are set in projections, which increase the effect of light and shade. Nor is the effect lessened by the close neighbourhood of a huge round tower, in after times turned into the apse of a church. Autun may well be proud of its ancient approaches from the east and north. We will not put them on a level with the Black Gate of Trier; but they may hold their own against aught of their kind at Rheims, at Nîmes, or even at Verona, still more against anything that is to be found at Rome itself.

The other chief view, from the southern side, the view from the opposite hills and from the nameless pyramid, is rather a view of mediæval Autun than of Roman Augustodunum. The havoc of the Revolution has taken away from Autun its right to be called, as of old, the city of fair bell-towers. Saint Lazarus keeps the only ecclesiastical tower of any importance which remains; but, as seen from the pyramid and from the slopes beneath it, the church rises nobly above the walls, and its lofty spire is girt with a crowd of smaller towers, military and domestic. And indirectly this view is a view of Roman Augustodunum. Though the gate at this side, the Gate of Rome, has

vanished, yet the line of the walls remains, and the cathedral church and its belongings mark the site of the ancient *castrum*, the citadel of the Roman city crowning its highest point. In its way, the church is, as we shall presently see, the most instructive of all witnesses to the abiding nature of Roman art in the Roman city. But at present we have to deal with it only as calling up the memory of the specially Roman quarter of Autun. The part of the city which afterwards put on a specially ecclesiastical character was at first the stronghold where the power of Rome emphatically dwelled in the form of her legions, even in days when those who bore the *pilum* and broadsword on Gaulish ground were themselves mainly men of Gaulish blood.

The walls of Autun are emphatically the walls of Augustus. Local pride points to their construction as marking them for the work of the founder of the Empire, in opposition to the later forms of construction more common in the Roman buildings of Gaul and Britain. Augustodunum might rejoice to be called Flavia; but her walls are Augustan and not Flavian. No layers of bricks, bricks thick and far apart, disturb the uniformity of their stone construction. But some eyes may venture to be better pleased with the more varied look of the later fashion, and one thing is certain, that no such mighty stones are to be seen in the walls of Augustodunum as strike the beholder almost with awe in the older part of the wall of Agenticum. On the west side the Augustan wall was kept as the wall of the later and smaller enclosure. For that very reason this part of it has undergone far more change, having been, like the walls of Rome, repaired and patched in successive ages. No gate is preserved on this side, but at one point a Roman bulwark has been carried up into a bold turret of the twelfth century, one of those adaptations of earlier work which always come home to us with a special life. At another point, within the precincts of a revived religious house, besides vaults which are now underground, another

mighty tower of the original defences survives. But the Roman wall is really best studied on the ruinous northern side above the river. There it stands, broken down indeed and crumbling away, but at least not confused with later work. It is by following the circuit of the forsaken wall, by marking how wide a space beyond the modern city was taken within the range of the Augustan enclosure, that we take in the full force of the words in which the greatest historian of Rome brings the new Æduan capital before us in the days when the walls of Augustus were still in their freshness.

This, our first picture of Augustodunum, comes in the seventh year of Tiberius, the twenty-first year of our æra. That is one of those moments when the history of Trier and of Autun flows in one stream. It was a moment when Treveri and Ædui joined in an attempt to throw off the dominion of Rome, a dominion which was not yet fully accepted even by all of those who were enrolled among her citizens and bore the very name of her princes. Julius Florus among the Treveri, Julius Sacrovir among the Ædui, were the leaders of the movement, and the name of the Æduan chief seems to point him out as one, like Divitiacus before him, who was skilled in all the priestly lore of the Druids.* In those days the city of Augustus by the Arroux ranked higher than the city of Augustus by the Mosel, if indeed Augusta by the Mosel had yet become a Roman city at all.† Tacitus strongly marks Augustodunum as the head of the Æduan state, as a wealthy city, and, above all, as a city one of whose special characters was to be a seat of liberal studies. There the noblest youth of Gaul were gathered

* Tacitus, Ann. iii. 40. He remarks of both the rebel leaders: 'Nobilitas ambobus et majorum bona facta, eoque Romana civitas olim data, cum id rarum, nec nisi virtuti pretium esset.' Merivale (v. 213) notices that the name of Sacrovir 'seems to mark him as a man of priestly family, and armed, therefore, with all the influence of his proscribed caste.'

† On the date of the foundation of the colony among the Treveri see Historical Essays, Third Series, p. 77.

together as in an university, and the rebel chief took care to arm the students in his cause, as a pledge, among other reasons, for the adherence of their parents and kinsfolk.* Weapons, doubtless the weapons of Roman warfare, were secretly made and distributed among these young assertors of Gaulish freedom. But among the forty thousand men at whose head the priestly deliverer held the walls of Augustodunum, those who carried Roman arms numbered but a fifth part. The rest of the host consisted of various irregular contingents. There was a mixed multitude with knives and hunting-spears; there was a band of slaves in training for the gladiatorial shows—for the young city already had its amphitheatre. These last wore defensive armour of such a form that its wearers were equally unfitted to give blows and to receive them.† At the head of this strange force, Sacrovir ventured to meet the Roman legions in battle at the twelfth mile-stone from Augustodunum. The Roman commander Gaius Silius was hastening through the land of the Sequani. We may therefore picture to ourselves the Æduan host marching forth under the arches of the eastern gate, the gate of Saint Andrew.‡ We hardly need Tacitus to tell us that Rome had the victory; but his description of the battle foretells warfare of many ages later. We seem to be reading some tale of mediæval Italy, when

* Tacitus, Ann. iii. 43: 'Augustodunum, caput gentis, armatis cohortibus Sacrovir occupaverat, et nobilissimam Galliarum sobolem, liberalibus studiis ibi operatam, ut eo pignore parentes propinquosque eorum adjungeret. Simul arma occulte fabricata juventuti dispertit.' Dr. Merivale calls it 'The Imperial University of Augustodunum.'

† The description given by Tacitus in the same chapter is singular: 'Adduntur e servitiis gladiaturæ destinati, quibus more gentico continuum ferri tegimen (cruppellarios vocant) inferendis ictibus inhabiles, accipiendis impenetrabiles.'

‡ Merivale (v. 216) says: 'The site of this battle must, in all probability, have been to the north of Augustodunum, on the road into Belgica, from whence the Romans were advancing.' This would bring them in by the gate of Arroux. But Tacitus (iii. 45) says: 'Silius . . . vastat Sequanorum pagos, qui finium extremi, et Æduis contermini sociique, in armis erant. Mox Augustodunum petit.'

he tells us how the legionaries took axes and hatchets to hew at the iron-clad gladiators, as at a wall, and how, when the bodies sheathed in iron were once overthrown, the victors took no further heed to them. Dead or alive, wounded or whole, when they were once down, the weight of their iron burthen took away all change of rising.* Sacrovir and the relics of his host fled to the city. They dared not defend it. The leader and his most trusted companions betook themselves to a neighbouring country-house, and there died, partly by their own hands, partly by flames of their own kindling.†

No special vengeance seems to have lighted on the Æduan city as the punishment of this revolt. Twenty-six years later it received a signal honour. It is now that Tacitus records that remarkable speech of the Emperor Claudius, of which a literal report has been preserved to us on the brazen plates of Lyons.‡ It is not often that we have such an opportunity of testing the real character of the speeches which an ancient historian puts into the mouths of the actors in his tale. The genuine speech of Claudius and the speech devised for him by Tacitus have their subject and their general line of argument in common, but nothing more. Not only the mere words, but the particular illustrations which are chosen, are different. But the general line of Claudius' real argument is so thoroughly preserved that we begin to hope that other

* Tacitus, Ann. iii. 46: 'Paulum moræ attulere ferrati, restantibus laminis adversum pila et gladios: sed miles, correptis securibus et dolabris, ut si murum perrumperet, cædere tegmina et corpora: quidam trudibus aut furcis inertem molem prosternere, jacentesque, nullo ad resurgendum nisu, quasi exanimes linquebantur.'

† Ibid. 'Metu deditionis in villam propinquam cum fidissimis pergit. Illic sua manu, reliqui mutuis ictibus occidere. Incensa super villa omnes cremavit.'

‡ Tacitus gives his version of the speech, Ann. xi. 24. See also Orelli's Tac. Ann. excursus to Book xi. The truer report may be read on its brazen tablets at Lyons, also in some editions of Tacitus, as in the Notes and Emendations at the end of Brotier *ad locum*. See also W. T. Arnold, Roman Provincial Administration, p. 128.

speeches, at all events in the writings of the same historian, may have at least the same degree of genuineness. Claudius here shows at his best; his wife and his freedmen had for a moment left him alone. Those of the Gauls who had been admitted to Roman citizenship prayed that they might be further admitted to the honours of the state, that they might be allowed to sit in the Senate of what was now their country. Men of the narrow-minded turn which shows itself in all times and places opposed the proposal. But the Imperial antiquary knew the history of Rome, and he knew what had made Rome great. Rome, unlike Athens and Sparta, had drawn her kings, her senators, her noblest houses, his own Claudian *gens* itself, from other cities and nations. She had kept her power longer than Athens or Sparta, because she had freely extended the privileges of the ruling city to allied and conquered commonwealths. The Imperial will would doubtless have prevailed, even if it had been backed by weaker reasons. To grant the prayer of the Gauls was simply to follow a crowd of precedents dating from the days of Rome's first being. In memory of the ancient kindred, the first Gaulish senators of Rome were chosen from among her Æduan brothers.*

It is characteristic of the history of Gaul under Roman rule that we have to leap over more than two hundred years before we come to another distinct mention of the Æduan city. The next time that we hear of Augustodunum is in the second half of the third century, in the days of another Claudius. We have now reached the times when we have Eumenius for our guide. We have already hinted at the character of the four orations which have come down to us from his pen. Three were spoken at Trier, to the Flavian princes, the elder Constantius and his son

* Tacitus, Ann. iii. 46: 'Primi Ædui senatorum in urbe ius adepti sunt, datum id fœderi antiquo, et quia soli Gallorum fraternitatis nomen cum populo Romano usurpant.'

Constantine. One, the second in order, was spoken in the forum of Autun to a local governor, a mere 'vir perfectissimus,' who had no claim to the majesty and divinity of Cæsars and Augusti. From these discourses we learn that, in the days of the tyrants, when Tetricus bore Imperial sway in Gaul, Augustodunum underwent a seven months' siege and a final capture at the hands of some rebel bands. Eumenius applies to the besiegers the epithet of *Bagaudæ*, famous a little later as the name of the first recorded *Jacquerie*. Our local commentator tries hard to prove that the phrase is merely a name of scorn bestowed on the forces of a prince who, as he was not finally successful, was reckoned in the list of rebels and tyrants. Eumenius does not mention the name of Tetricus, but he has a distinct reference to the way in which the power of Tetricus came to an end. The faithful inhabitants of the Æduan city were, as in the days of the first Cæsar, the first to seek aid from Rome. The brothers of the republic called on Claudius, their lawful prince, to come to their help against the rebels, and to win back all the Gaulish lands to his obedience.* Could he have come, the tie of

* Eumenius twice refers to this siege. The first place is in the discourse, 'Pro Scholis Restaurandis,' 4: 'Civitatem istam, et olim fraterno populi Romani nomine gloriatam, et tunc demum gravissima clade perculsam, cum latrocinio Bagaudicæ rebellionis obsessa, auxilium Romani principis invocaret.' In the other passage (Gratiarum Actio, 4), he says, addressing Constantine: 'Attende, quæso, quanti sit, Imperator, quod Divum Claudium, parentem tuum, ad recuperandas Gallias primi sollicitaverunt: expectantesque ejus auxilium, septem mensibus clausi, et omnia inopiæ miseranda perpessi, tunc demum irrumpendas rebellibus Gallicanis portas reliquerunt, cum fessi observare non possent.' M. Rochet (pp. 34–43) is anxious to show that the troops of Tetricus might be called Bagaudæ. But the true Bagaudæ, peasants stirred up to revolt by local oppression, come somewhat later, A.D. 285; while the siege of Autun must have happened in 270. The chief passages about them are in Aurelius Victor (Cæsares) and Eutropius, lib. ix, and especially Salvianus de Gubernatione Dei, v. 5. They appear, too, where one would not have looked for them, in the Chronicle of Prosper, A.D. 437. This may perhaps give some help to M. Rochet's laxer use of the name.

ancient brotherhood would have given Gaul peace, without any loss to the power of Rome, without any *Catalaunian slaughter*.* This last phrase carries on our thoughts over well-nigh two centuries, to the day when Aetius and Theodoric saved Aryan and Christian Europe on the Catalaunian fields. But the reference is to a less famous strife on the same ground. The prayers of Augustodunum were for a season unheeded. The Illyrian prince to whom she cried for deliverance had to leave the work to be done by an Illyrian successor. Claudius was busy with the Gothic war which gave him his surname. He had to drive back invaders from beyond the bounds of the Empire, and to endure the presence of rebels within its provinces. He could not come to the help of the Æduan state as the first Cæsar had done. Augustodunum was constrained to open her gates to the dreaded enemy—the 'Bagaudæ,' the 'Gaulish rebels'—and, according to the witness of her own orator, she suffered no small amount of havoc at their hands. The recovery of Gaul had to wait for another reign; but in those days reigns were short, and stout hearts from the lands beyond the Hadriatic were ready to fill the place of their fellows in quick succession. Claudius could not come to hinder; Aurelian came to avenge. He overthrew the host of Tetricus at Châlons, and received to his favour the Emperor who forsook his own followers.† In our imperfect materials for those times, our notices of the event of Châlons come only from the summaries of Eutropius and Aurelius Victor, to whose statements this allusion of Eumenius, spoken in the presence of Constantine, gives a singular confirmation.

The blow which had now fallen on Autun had brought

* Gratiarum Actio, 4: 'Sine ullo detrimento Romanarum virium, *sine clade Catalaunica*, compendium pacis reconciliatis provinciis attulisset fraternitas Æduorum.'

† Aurelius Victor (Cæsares) mentions the fact: 'Tetrici . . . cæsæ legiones, proditore ipso duce.' Eutropius (ix. 13) gives us the place—'Aurelianus superavit in Gallia Tetricum apud Catalaunos, ipso Tetrico prodente exercitum suum, cujus assiduas seditiones ferre non poterat.'

her very low. The bounty of Constantius and Constantine raised her again. The father restored her public buildings; the son remitted no small share of the heavy taxation which, we are told, pressed more heavily on the barren Æduan soil where no vines would grow than it did on the more fertile parts of Gaul.* Eumenius himself, professor of rhetoric in the schools of Autun, the schools which had once been famous, and for whose restoration he so earnestly pleads, enjoyed princely favour and a comfortable salary. Of that salary he was ready to make a munificent use for the benefit of his art and his city. He was ready himself to bear the cost of the restoration of the schools in their ancient home, between the capitol of Augustodunum and the temple of Apollo.† The Æduan city, now rejoicing in the name of Flavia, eager to be again at once a prosperous and a learned city, had once enjoyed the heavenly delight of beholding within its walls—though only for a single day—the prince at whose sight cities and temples sprang up, as flowers sprang up under the couch of Jupiter and Juno.‡ Con-

* Eumenius gives a number of curious details on this head in the sixth chapter of the Gratiarum Actio. The vineyards had died out; the level country had become swampy; and he winds up, 'Nec possumus, ut Aquitanis aliisque provinciis familiare est, novis vitibus locum ubique metari; cum supra saxa perpetua sint, infra humilitas pruinosa.'

† This is the main subject of the second discourse of Eumenius, Pro Scholis Restaurandis. He makes the offer in chap. 6. In chap. 14 he quotes a most friendly letter from the Emperor Constantius to himself, in which that prince speaks of 'Augustodunensium oppidum,' a form which Eumenius himself does not use. The Abbé Rochet enters at great length on the various reasons which have been given for the name 'Menianæ,' applied to the schools of Autun, into which we need not enter. The building was (Pro Scholis Restaurandis, 9) 'Præcipuo loco positum, quasi inter ipsos oculos civitatis, inter Apollinis templum atque capitolium.' A flood of eloquence follows. The local editor has much to say about the site, but at all events no architectural remains are left.

‡ This wonderful flourish comes in the Panegyric of Constantine, 22: 'Nec magis Jovi Junonique recubantibus novos flores terra submisit, quam circa tua, Constantine, vestigia urbes et templa consurgunt.'

stantine, as he drew near to Autun, had looked down on the city from one of the southern hills, and had wondered that he saw no man; he entered the city, and wondered at the vast multitude which had come together to greet him.* He is prayed to renew that happy day, to forsake for a season his Imperial home at Trier, and to give another moment of bliss to the city which his father and himself has called into fresh being, the Flavian city which above all others bears their eternal name.

The rhetoric of the orator, in looking back to the visit which had been, in looking forward to the visit which he hoped would be, incidentally gives us some pictures of the city as it was in his day. Constantine entered Autun by a gate flanked by towers, which towers, by a somewhat bold figure, are said to have bowed to greet or embrace him.† One wonders that Eumenius did not liken them to the Symplêgades converted to a milder mood. This loyal gate could not have been either of those which still remain; it must have been the Gate of Rome, looking towards the southern hills. From the gate the Emperor was led through streets adorned in their best array, the best array that a city just arising out of poverty through his own bounty could supply. The ensigns of the gilds, the instruments of the musicians, above all, the images of the gods whom Constantine still worshipped, were brought forth in his honour.‡ Through all these marks of rejoicing he was led to a building described as the palace, in the vestibule of which the

* Gratiarum Actio, 8: 'Miratus es, Imperator, unde se tibi tanta obviam effunderet multitudo, cum solitudinem ex vicino monte vidisses.'

† Ibid. 7: 'Cum tu, quod primum nobis signum salutis fuit, portas istius urbis intrasti? Quæ te habitu illo in sinum reducto, et procurrentibus utrinque turribus, amplexu quodam videbatur accipere.'

‡ Ibid. 8: 'Exornavimus vias quibus in palatium pervenitur paupere quidem supellectile; sed omnium signa collegiorum omnium deorum nostrorum simulacra protulimus.'

ordo, the decurions, the local senate, threw themselves at the Emperor's feet.* On the splendour of the temples, above all on that of Constantine's patron Apollo, Eumenius does not fail to enlarge. The restorer of the city is implored to come and visit them again.† It is to be noticed that Apollo is the only deity on whom the orator at all emphatically or seriously enlarges. Constantine would seem to be passing towards the new faith through a stage of monotheism, which as yet consisted in exclusive devotion to a single deity of the old pantheon. The Homeric tales of Zeus and Hêrê have become figures of speech; the worship of the pure god—for the Apollo of Constantine is undoubtedly the sun-god—is still a perfectly grave matter. It is not wonderful then that we hear nothing of the image of the Berecynthian Mother which a later writer tells us that Autun contained in its pagan days, and from whose worship the Æduan people were turned by the preaching and the wonder-working power of the holy Bishop Simplicius.‡ The wild rites of Asiatic worship—perhaps the rites of some native Gaulish deity shrouded under the Asiatic name—were, we may be sure, not to the liking of Constantine in his transitional state of mind. Other buildings are glanced at, for which the researches of local antiquaries have found sites;§ but no strictly architectural remains of the second Flavian æra rise anywhere above the ground.

* Gratiarum Actio, 1: 'Cum in illo aditu palatii tui stratum ante pedes tuos ordinem, indulgentiæ tuæ voce divina, porrectaque hac invicta dextera sublevasti.'

† Eumenius has much to say about the temple of Apollo in both of his speeches to Constantine. In the Panegyric 21, the Emperor is told how all the temples of Autun call for him, 'præcipueque Apollo noster, cujus ferventibus aquis perjuria puniuntur, quæ te maxime oportet odisse.'

‡ This story is told by Gregory of Tours, De Gloria Confessorum, 77, which will be found in Bouquet, ii. 467, where the date is given as about A. D. 364.

§ Aqueducts are specially mentioned, also a circus; but buildings which do not stand up and show visible features are of little interest except on the spot.

The existing glories of Autun are her walls and gates. The city contains no such actually abiding buildings of Roman days as we see at Nîmes and Vienne, or as the humbler temple which strikes the eye with a kind of surprise in the midst of the forum of Assisi.

One building there once was at Autun, the site of which has been found and hidden again, which perhaps the shortness of Constantine's stay hindered from being put to any practical use on that day. Autun, like Trier, had, as we have seen, its amphitheatre from the earliest days of its being; but Eumenius has not the pleasure of recording any such shows in his own city as those which he records with such delight in the city which he would fain have his own city be like in all things. Constantine had brought no Frankish prisoners with him to be torn to pieces to make an Æduan holiday. Nor do we hear of the building which, next to walls, gates, and towers, has left the fullest signs of itself within the city. The site of the amphitheatre, once laid bare, has now again to be looked for; the extensive traces of the theatre, beyond the modern and within the ancient walls, must draw to themselves the notice of every eye.

The history of Roman Augustodunum comes nearly to an end with the discourses of Eumenius. We cannot carry on our tale as we can at Trier, still less as we can at Ravenna, whose day of greatness is still a century distant. The Æduan city had no day of greatness answering to theirs. The hope of Eumenius that Autun might be like Trier was not fulfilled. Local patriotism believes that Autun ranked beyond doubt next after Trier among the cities of Gaul. They argue from the existence of a 'palatium' among the buildings of Autun that it must have been at least an occasional dwelling-place of Emperors. And it is certain that an Emperor, at least a tyrant, could be made there. When Constans, slayer of his brother Constantine, had turned all Gaul against him by his crimes, it was at

Augustodunum that the feast was held, at which, like the bride-ale of Norwich or of Exning, men came together to plot his overthrow. There was Magnentius, captain of the force which still, under an Orthodox prince, bore the names of Jovius and Herculius; there he withdrew for a moment from the board to come back arrayed with the garb of Empire and to receive the allegiance of his companions.* After this we hear little of the Æduan city. We are tempted to think—indeed Eumenius might be understood as implying—that it never fully recovered from the blow which it suffered in the days of Tetricus. It is only its own orator who sings its praises. Ausonius and Venantius Fortunatus, who have so much to tell us about Trier, have nothing to tell us about Autun. Sidonius Apollinaris gives it hardly more than momentary glances in a few letters to Æduan friends.† The city is seldom mentioned in the records of the revolutions which brought Gaul under Gothic, Burgundian, and Frankish rule. The chief event in its later history is a taking and frightful harrying by the Saracen masters of Spain and Septimania in the earlier part of the eighth century, before Charles Martel had set bounds to Mussulman invasion in the West.‡ This blow no doubt marks another step in the downward progress of Autun. We have documents in favour of the Æduan church from the Carolingian kings and Emperors; but they hardly

* p. 340. See Zôsimos, ii. 41.

† In iv. 21 he writes to Aper, whose father was Æduan, and his mother Arvernian. As he praises his friend's learning, we began to hope that it was gained in the schools of Autun. But unluckily it came from Auvergne, a land of which the Bishop of Clermont goes on to sing the praises. In v. 18 he congratulates Attalus, the first recorded Count of Autun, on his appointment to that office. See the account of the counts in the Introduction to the Cartulary, p. lxiv.

‡ This is recorded in the chronicle of Moissac: 'Anno DCCXXV. Sarraceni Augustudunum civitatem destruxerunt iv. feria, xi. Calendas Septembris, thesaurumque civitatis illius capientes, cum præda magna Spania redeunt.'

played the full part of Constantius and Constantine towards the Æduan city. The history of Autun in later times is mainly ecclesiastical, and among its bishops it numbers some remarkable men, from the martyr Leodgar* to the apostate Talleyrand. We have no need to follow their course, nor yet the course either of Burgundian dukes or of local counts, through the whole range of the mediæval and modern times. But one or two points of special interest stand out, which specially touch the greatest buildings of the modern city.

The vast space fenced in by the walls of Augustus became gradually thinned of inhabitants, and the great Æduan city shrank up into two small towns on either side of the void space of the ancient forum to which the name of *Campus Martius* has got transferred in later times. The ancient *castrum* on the height, once the seat of the dukes, became the city of the bishops, while the lower town, from the forum towards the river, became the city of the counts. The union of the two by the later wall, in days so modern as those of Francis the First, made the Autun that now is. Down to the Revolution, Autun was pre-eminently a city of churches and monasteries, within and without the walls. But nowhere has havoc been more thorough. One ancient church only of any size remains, the cathedral church of Saint Lazarus. It is at first very puzzling, in turning over the documents in the cartulary, to find the chapter of Autun commonly spoken of as the chapter of Saint *Nazarius*, while *Lazarus* is the dedication of the church itself. One is even tempted even to suspect some confusion between names so much alike. The fact is that the see was translated from one church to another within the bonds of the *castrum*, from the church of Saint Nazarius to the church of Saint Lazarus, and that the chapter chose in its acts to keep to the more ancient style. Amid the pitiless destruction of the

* Two Lives of this saint will be found in the second volume of Bouquet.

ecclesiastical buildings of Autun, we cleave to the one which is left to us, and all the more as, by a strange kind of figure, the church of Saint Lazarus may be said to continue and to end the series of the Roman buildings of Augustodunum.

We say in a figure, for the great church of Autun does not continue the series in the same literal and physical way in which the great church of Trier continues the Roman buildings of its own city. There is nothing at Autun answering to that wonderful pile, built in Roman, renewed in Frankish days, and afterwards gradually changed into the outward likeness of an ordinary German minster. Three points in the great church will strike the visitor to Autun at the first glance. The direction of the building with regard to the points of the compass differs widely from that which is usual among churches north of the Alps. It does not point east; it does not, like its neighbour of Nevers and so many German churches, point east and west at once. The high altar at Autun stands, perhaps not quite due south, but certainly far more south than east. In the general view from the hills this unusual position is a gain. The church fronts the beholder as he approaches the city. The temple reared in the *castrum* of the Æduan city, the church which may have supplanted some of the seats of pagan worship to which Eumenius invited Constantine, still points, not to Jerusalem but rather to Rome. We are surprised too to find in central Gaul a church with a mid-tower crowned by a lofty spire, suggesting thoughts of Normandy and England. Lastly, as the most striking outward feature of the church, we mark its magnificent western—more truly northern—porch or external *narthex*. Is something of this kind an Æduan fashion? A smaller porch of the same kind is well-nigh all that is left of the cathedral church of Macon, an Æduan diocese taken out of that of Autun. And both Autun and Macon seem to have something in common with the inner *narthex*, lower church, western church, whatever we are to call it, of the wonderful abbey of

Tournus, an outpost, like Macon, of the Æduan land, by the border stream of Arar or Saone. But it is not any of these features, save perhaps in some measure the central tower, which gives the church of Autun its marked and special character. The *narthex* alone would make it a remarkable building, well worthy of study as a building; but it is the treatment of the interior which shows that those who reared it knew well where they were working, and felt the influence of the spot. It is a building, in its main internal features all but an unchanged building, of the eleventh and twelfth centuries. But it is utterly unlike any building of that date, either in Italy on the one hand or in Northern Gaul and England on the other. It has more in common with the churches of Aquitaine and other parts of Southern Gaul; but its likeness to them does not go beyond the main feature of its construction. Like them, it eschews columns; like them, it uses the pointed arch; but it has no likeness to those peculiar proportions of the Aquitanian churches to which, rather than to any strictly architectural detail, they owe their special and marked character. Its mere proportions are those of a Northern church; but it has nothing else that is Northern about it. The pier-arches and the barrel-vault are pointed; so are the arches which support the central cupola. For a cupola forms the natural crown to the four arms within, though its presence could hardly have been inferred from the tower and spire which a later age raised over it without. All this so far shows a strong fellowship with Aquitaine, a fellowship not wonderful in a district which lies nearly central between Southern and Northern Gaul. And, as in Aquitaine, as in Sicily, the use of the pointed arch is here no sign of coming Gothic. It may be, as in Sicily, a sign of the influence of the Saracen; some perhaps would say that it is merely a sign of the fact that, in some constructive positions, the pointed arch is more convenient than the round. But whatever may be the cause, the pointed arches of Autun, like those of Palermo, are no part of that

architectural revolution of which we see one of the earliest stages at Malmesbury.

Now a church with pointed arches, a church of mainly Northern proportions, can have very little likeness to a Roman building in its general effect. Nor does the church of Autun affect classical character in those ways in which buildings of its own age often do affect it. It is no basilica, either made up of actual classical columns and capitals, or else built with as near an imitation of them as the skill of the builders would allow. The capitals, wrought with figures and legends, are not of a specially classical type. Far nearer approaches to the Corinthian model can be found, not only in the specially Roman lands, but in France and even in England. The Roman models which the Æduan architects of the eleventh and twelfth centuries followed were their own gateways. The reigning feature throughout the whole church, that which gives it its special character, is the flat fluted pilaster. It is used everywhere; it supports the roof; it is grouped to form the pillars; it supplies the place of the smaller columns wherever smaller columns would naturally be looked for. Such pilasters are not uncommon wherever the style is influenced by Roman models; but there is perhaps no other building on such a scale in which they so completely form the characteristic feature from one end to the other. They may be seen rather largely at Tournus and in the small remains of the church of Macon; but at Autun they are dominant. And it is singular how much of Roman character is given by the steady use of this one piece of detail throughout a building which is not specially Roman in other ways. This suggests the question, When the church of Saint Lazarus was built, were the gates already, as they now are, the chief remains of the ancient city? The gates were there to influence the architectural developement of a local style; it may be that successive revolutions had left little else to influence them. The architect of Saint Lazarus must have been a man of observant and eclectic mind. If his city had still been rich

in columnar buildings, they would surely have supplied him either with materials or with models. What did the Saracen invader find at Autun in the eighth century? What did he destroy and what did he spare? We have no means of answering; the frightful blow of the Saracen capture is set down in our meagre chronicles without a single detail. The utter destruction of the other great churches of Autun in modern times leaves the visitor without the means of judging whether Saint Lazarus stood alone or whether it was one of a class. The only contemporary ecclesiastical buildings which survive are two small chapels; one of these in the lower part of the town, now forming a highly interesting museum, does so far agree with the great church as to give its main arch the pointed shape. Here are questions for the Æduan antiquaries, questions which they may likely enough have examined and answered in some of their many publications. The visitor from other lands can do no more than put the questions and leave them unanswered.

The Æduan city then, if not the peer of Trier and Ravenna, must at least be admitted as a lowlier member of their company. It differs from them, among other things, in this, that no monuments are left of the times of which we have the fullest record. We know Autun best in the short time when she boasted herself as Flavia; but her existing remains are either earlier or later than her Flavian days. We have the walls and gates of Augustus; we have the church of the days of bishops and counts; we have the *castrum* abiding in the fortified ecclesiastical precinct; but we have no certified traces of the palace of Constantine, of the temple of his patron god, of the capitol of Augustodunum, or of the schools which stood between the temple and the capitol. We can but guess at their sites, or at most identify them at pleasure with masses of building which present no architectural feature. Still, with so much that is lacking, there is much that is present. Autun, as a Roman city, as a city rich in existing Roman buildings, as

a city which stands out with a momentary brilliancy in the transitional period of Roman dominion, has at least no rival in its own region. It has assuredly no fellow to the north, and we have to go a good way to the south before we come to those cities of the Rhoneland which equal and surpass it. The prayer of Eumenius that Autun might be like Trier, if fulfilled then, is hardly fulfilled now. But it is still more certain that setting Trier aside, no other city of Northern Gaul can, in the features in which Autun is specially strong, pretend to be like Autun.

VI.

PÉRIGUEUX AND CAHORS.

THE historical student who holds the abiding monuments to be no less an essential part of its history than its written records can never come back from a journey in France, especially in its southern parts, without bringing with him some fresh knowledge, some distinct enlargement or enlightening of his own range of thought. What has never been seen is fresh indeed; what has been already seen is sure to present itself in some fresh point of view. All this to be sure is true of every land which has anything to show of any kind; it is specially true of a land like Southern Gaul, which may be called both historical and monumental in a very special sense. In studying either the documentary history in one's library or the actual monuments on the spot, it is needful always to remember the distinction, historical and monumental, between the Southern lands, Aquitaine, Provence and the rest, and the more truly French lands to the north. Above all, the widest barrier separates the ecclesiastical architecture of the two lands. We shall find noble French churches in Southern Gaul, because the later political connexion with France carried French architecture into all lands subject to the French crown. But they stand there as foreign buildings, having nothing in common with the native art of the land. And most certainly we shall not find any Aquitanian or Provençal churches in the land which is most strictly France.

Having visited those lands in two successive years, having both seen some things which I had never seen before and

seen again some things which I had seen before, I thought that it might not be without interest or profit to compare in some detail two striking cities of Southern Gaul, one of which I had seen many years ago, while the other was quite fresh to me. These are Périgueux, which I had already seen long ago, in 1857, and Cahors, which I saw for the first time in 1885. I pick out these cities as lying somewhat out of the common track of travellers, as not holding at all a first-class place in the general history of Europe, as not containing any of the great buildings which are known to all mankind, but as cities which none the less have great monuments to show. One of them indeed has a monument to show which yields to very few in real importance in the history of art; each of them moreover has a marked and characteristic local history, a history which surpasses the interest, deep as it is, of particular objects within them. The two stand not very far from one another in the basin of the Garonne; therefore both come within the same historical and architectural province. The monuments of both may be easily compared, and the local history in the two cases has enough of likeness to be in some points contrasted. Périgueux is probably less known than Cahors, both to the world in general and to historical students who have not specially studied those lands; but both in its buildings and in its local history it has decidedly the greater interest of the two.

With Périgueux then we will begin, the Petracorian city, once Vesona on the Lisle, the head of the modern department of the Dordogne, a city memorable as containing the greatest examples of one of the chief forms of South-Gaulish architecture. To a special student of the history of cities it is more memorable still, as he comes to spell out the shiftings of its site, the narrowing and widening of its area, all the changes which, speaking through the monuments which are left to witness to them, make a local story with a special interest of its own. And the land in which the city stands has its interest too, not less attractive than

any aspect of the city itself. Périgueux is not simply Périgueux with its own history and antiquities; it is in two very distinct ways the centre of the history and antiquities of the whole land of Périgord. That land has two separate claims to notice; it is attractive alike to the primæval and to the architectural inquirer. It is the land at once of flint implements and of domical churches. And the city which is the head of the land has much to show in both lines. The museum has an almost boundless collection of weapons, tools, and other primæval relics, while the most memorable of the domical churches of Gaul, or so much of it as a most merciless restoration has left, stands on its own site to speak for itself. But it does not stand alone. Another church, another domical church, smaller and less striking, has also its tale to tell. And the tale that the two tell between them is the tale, not only of the ecclesiastical, but of the deeply memorable secular history of the Petracorian city.

Let the traveller, if he can, take his first view of Périgueux from one of the bridges over the Lisle where the river flows almost immediately under the great church of Saint Front. Standing there, he seems to see a model Gaulish city. The slope of a low hill rising above the river is covered by the houses of a considerable town, with the wonderful minster to carry our thoughts to Eastern lands. Its five cupolas stand out like those of Saint Sophia or Saint Mark; only, unlike Saint Sophia or Saint Mark, the tall bell-tower rises also to remind us that we are still in Western Europe. Save for the special outline of the church, the sight is essentially the same that we see in a crowd of other Gaulish cities. As we look across the Lisle at Périgueux, to most eyes the story would seem plain. Here is the usual tale; the head fortress of the Gaulish tribe has become the Roman, the mediæval, the modern city; the great church stands, as usual, as the central point of the whole. Everything seems perfect, everything lies compact, according to the received model

of Gaulish cities. Could it come into the head of any man to think that he is looking at a spot whose story is wholly different, that he is not looking at any site of early days, that the wonderful church before him is not the original head church of Périgueux, but a secondary church, the fellow of Saint Ouen at Rouen or Saint German at Auxerre, which has supplanted the more ancient seat of the bishopric? It is true that, if he should go through every nook and corner of the Périgueux on which he now gazes, he will nowhere find a scrap, not a stone or a brick, of Roman work. But that is perhaps not very wonderful; on not a few undoubted sites of Roman towns the remains of the Imperial age have utterly vanished, or have to be sought for underground. We cannot conceive that any man who should know no more of Périgueux than he sees from the bridges, no more even than he would learn by making his way into every street of the town which he sees from those bridges, would ever doubt for a moment that he was looking on a town which had gone through the usual story of a city of France or Aquitaine from the days before Cæsar till our own.

To get rid of this very natural error our traveller must follow as he can the course of the stream downwards. At some little distance from the closely packed town which he has been studying, parted from it by ground partly left in open spaces, partly covered by buildings of very modern date, his eye will sooner or later be caught by quite another group of objects. From almost any point that he can reach—some of the best points are quite to the south, on the causeway between the river and the canal that runs alongside of it—two, from some points three, buildings will strike him, which throw themselves from different points into various forms of grouping. Unlike Saint Front and the town which surrounds it, they lie at some distance from the river. They lie on the same bank as Saint Front, that is on the right, but not, like it, on distinctly rising ground. Indeed, from some of the points in this quarter one might doubt

whether Saint Front stood on rising ground at all. When we go up from the quay to the church by steps or by steep streets, we feel that the *puy* of Saint Front—the name familiar in Auvergne and Vélay is found here also—is a real height; yet the height of the church from base to cupola is clearly greater than the height of its own foundations above the quay. Still the *puy* is a hill, one of those hills which count for something when covered with houses, though they hardly pass for hills when free and covered with green grass. But at the point at which we are now looking, the ground is nearly level: there is of course some slope down to the river, but nothing that can be called a hill. The low ground indeed looks up to hills that are really of some height, a line of round-topped grassy hills, rising from the other side of the river. Will the thought of Dorchester on the Thames, of the Roman camp, growing into the Roman town, that looks up at the British site on Sinodun, come into the mind of any man? If so, he will have grasped the first key to the true story. If there are no traces of Roman occupation among the streets that surround Saint Front, here we have signs of the universal conqueror of no mean account.

Among the buildings that form our present group is one that seems to be a mighty round tower, roofless and on one side shattered. Does it proclaim its age at first sight? It is a singular fact that, while a mediæval building can scarcely ever be taken for anything modern, buildings of earlier date often may. The primæval walls of Alatri might at a little distance be taken for a modern prison, and this huge round, it must be confessed, has to some not undiscerning eyes suggested the thought of a modern gas-work. But go nearer, or bring the glass to bear upon it, and the unmistakable construction shows that the tower, if a good deal younger than the walls of Alatri, is a good deal older than anything at Saint Front. We are looking on what is locally called the *Tour de Vesone*. That is to say, the ancient name of the city still

lives here. The story is the same as Dorchester; only Dorchester has no such monument standing up like the Petracorian tower—tower we will provisionally call it—to proclaim its Roman being. The Gaulish stronghold, the place of shelter for the people of the land, was on the heights beyond the river. Local nomenclature has simply turned its use round by calling it the 'Camp of Cæsar.' It is well to climb the height, if only for the wide and rich view over the city and its neighbourhood. But we get more than a fine view; we take in the position of the oldest Vesona. The 'Camp of Cæsar'—easily reached by a ferry—rises nearly sheer from the river, just the site for a Gaulish *oppidum*. A point on the next hill, known as *Écornebœuf*, was also a point of defence. In the valley between the two some of the older antiquaries, on the strength of remains found in it, placed the oldest Vesona. And this may be true in the sense that the valley may have been a place of habitation, while the height above, the *oppidum*, was the place of shelter, defence, and assembly.

From the height that we have now reached, we look down on all the successive centres of the Petracorian name, but, most immediately at our feet, on the group of buildings of which we have been speaking, the huge tower lording it over all. These mark the site of the Roman town, the second Vesona, the town which arose at the conqueror's bidding at the foot of the hill crowned by the more ancient stronghold of the conquered. We have seen that the name of the city still cleaves to its most marked surviving Roman monument; but this use of the name is most likely only an example of that kind of so-called 'tradition' which really comes from the teaching of antiquaries. In truth *Tour de Vesone* is not a name that could have lingered on from the days when Vesona was, and the real history of the building so named makes the survival still more impossible. Local nomenclature has preserved a far more genuine piece of evidence in the name of *La Cité*. For there are in fact

two existing towns of Périgueux, to say nothing of the forsaken site on the hill beyond the river. There is the town with which we are now dealing, the *cité*, the Roman Vesona on the level ground. And there is the *ville*, the *bourg*, the *puy*, which bears the name of Saint Front. It is this last, the hill or *puy* overlaying the right bank of the river, which we were at the first glimpse tempted to mistake for the true Vesona, but which we now find to be a separate town. *Cité* and *bourg* are, in the history of Périgueux, distinct indeed.

But we spoke of a group of buildings, and we have as yet named one only, and that is one which does not come within the present limits of *La Cité*. The tower of Vesona stands truly enough on ground that was Roman Vesona; but *La Cité*, as the name is now used, is very far from taking in the whole of the Roman town, and the name is specially applied to the church of Saint Stephen, *l'église de la Cité*. This church we soon learn to have been the elder seat of the Vesonian or Petracorian bishopric. It forms another of our group of objects, a striking one from many points, but one which at first sight is a little hard to believe to be a church. What we see now in the distance is a stout square mass, with another somewhat lower square mass attached to it. When we once learn that the building is a church, the church of *La Cité*, the true Vesonian bishop-stool, the whole story of the two towns becomes intelligible. Without further research, we see that at Périgueux things have changed their places. We see that Saint Front is a great secondary church, which has not only outstripped the mother church in stateliness, but has become the kernel of a new town.

But this is not all. From some points yet another building will come into our group which tells an earlier portion of our tale. We have fixed the position of *La Cité* and of the church of *La Cité*; our third building helps us to part of its boundary-wall. This is the house called *Château Barrière* from the name of its owners, one of the great families

of Périgord. There surely cannot be many families in any part of the world whose house has for its basement a city wall of the fifth century, while part of the house itself is of the eleventh or twelfth. Such has been the luck of the house of Barrière. Our present business is with the oldest work; but it is the latest part of all, the tall tower of the ruined *château* of the fifteenth or sixteenth century, which does more than anything else to make this building one of the main features in our general view of the oldest existing Vesona. To see what the building really is and what it proves, it is needful to get near enough to study the masonry of the basement, a thing that may be done, though to do it is less easy than it was, now that the railway has come close under the walls of the *château*, while an ugly barrack has sprung up on the other side. We see that here is a line of wall, a line of wall earlier by ages than the mediæval ramparts of which the *bourg* of Saint Front still keeps some traces. The church of *La Cité* lies within that line; the tower of Vesona lies without it. We have here the second key to the story. We have lighted on a Roman wall of Vesona, but not a wall of Vesona in its earliest Roman days. The first Vesona, the Gaulish stronghold on the hill, passed away; it ceased to be a dwelling-place or even a shelter of men. Under the Roman Peace, in this specially peaceful land, away from any dangerous frontier, men could dwell safely, they could even dwell without walls. The new Vesona arose on the low ground near the river, with the once hostile hills in front of it beyond the stream, and with other more gently sloping hills rising behind it. The whole space is a rich field of Roman relics; the so-called tower of Vesona, in truth no tower, but the round *cella* of a great temple, stands out as the ghost of one of its chief buildings. Further inland from the river stood the amphitheatre, of which large fragments still remain. These two buildings, the seats of Roman religion and of Roman pleasure, are the two chief monuments of the elder Roman town, the

seemingly unwalled town, which stretched from the foot of the hills down to the river, looking for no enemy to come against it.

But presently a day came when the power of Rome grew weak, when her borders were daily crossed by Teutonic invaders, when her name and the fame of her princes could no longer defend their subjects even in the heart of Aquitaine, so far from the threatened frontiers of Rhine and Danube. Then it was that the teaching of some barbarian inroad, perhaps the mere fear that some such teaching might be brought home to them, led the men of Vesona to make them walls and towers of defence. They greatly narrowed the extent of the town, fencing in only a small part of what had been Vesona in more flourishing days. The temple, home of a creed decaying if not forsaken, was left outside; the amphitheatre was taken within the new circuit; or rather its massive walls, like those of the *amphitheatrum castrense* at Rome, were made to form part of the new line of defence. The whole line has been traced out; but only a small part of it is to be seen above ground. But what is to be seen, the lower part of the walls of the *Château Barrière*, and the small gateway close by—known, it is hard to guess why, as *Porte Normande*—is most striking and instructive. The wall, as it stands, has grown up at many dates, out of many kinds of material, and according to many forms of construction. But the lower part of the wall, with two surviving bastions, is clearly part, a corner, the south-western corner, of the narrowed Roman wall of Vesona. Mighty stones, torn no doubt from buildings of happier times, eked out with fragments of various kinds, are rudely piled together. Like the work of Themistoklês on the akropolis of Athens, they are plainly the work of some moment when the need of needs was to have some kind of defence ready in the shortest time. It was in no small strait that the men of Vesona must have found themselves when they were driven to leave the greater part of

their town undefended, to forsake and even to destroy its buildings, in order to husband their whole strength for the defence of that small part of its wide circuit which was now to be their city of refuge. When could such a sacrifice have been needed? No time suggests itself so obviously as the terrible years from 407 to 409, the years so pathetically described by Jerome and by the contemporary poet of Divine Providence, but which are almost more frightfully marked in the stern simplicity of the annalists. Then, while this and that Emperor was disputing for the fragment of dominion which Rome still kept in south-eastern Gaul, the Vandal, the Suevian, and the more barbarous Alan laid waste the rest of the land at pleasure. It may well be that the narrowed rampart of Vesona was raised as a defence against some stage of the march of the destroying enemies from the Rhine to the Pyrenees. Looked at in this light, the rude piling of huge stones, reminding us almost of the primæval works at Cori and Segni, which bears up the later buildings of the *Château Barrière* of Périgueux becomes a living monument of that memorable act in the great drama of the Wandering of the Nations.

It is always pleasing and instructive to compare the different fates which befell these Gaulish towns. One general story runs through all; but the tale of each has something special to itself. In most cases the continued growth of the town has far outstripped the bounds of the Roman wall. The rampart has been swept away; but it has, as at Rouen, left its unmistakable impress on the main lines of street. Sometimes, as at Autun, the opposite process has happened; the town, like Rome itself, has shrunk up far within its ancient circuit; the walls, or one side of them, have to be found among fields and gardens at some distance from the inhabited quarter. Or again, as at Sens, the wall may still abide and still fence in the main town, having, as of old, suburbs beyond it. Other varieties might easily be put on record; this of Vesona is one of the most curious.

The most ancient city shrank up within a new and narrow line of defence. And that line of defence it has only feebly, and gradually outstripped. As usual, besides the bishop's church in the city itself, a great secondary church grew up outside the wall, and this church, the famous abbey of Saint Front, became the kernel of a new town. The new town, the *bourg* or *puy* of Saint Front, the town on the hill, inhabited by a vigorous burgher population and strengthened by wide municipal rights, utterly outstripped the old city, which was left as an ecclesiastical and aristocratic quarter. Such a quarter is common enough in the old Gaulish towns; but it is more usual to find it, as at Le Puy, at the top of the hill, with the less dignified *ville* below it. Here, as in some measure at Limoges, the tables are turned. The *ville* stands apart on the hill, with the air of the original *cité*, while the real *cité* abides below, putting on somewhat of the look of a suburb. A rather wide space parts the two, laid out in squares and boulevards. Among these there is one name that might easily lead the traveller astray. The *Place Francheville* suggests municipal liberties; our thoughts run off to this or that *Villefranche* and *Villafranca* in various parts; we leap to the hope and belief that *Francheville* is another name for the town of Saint Front. Unluckily the *Place Francheville* of Périgueux preserves no such memory: it is so called simply in honour of a bishop who had Francheville for his surname. The open spaces are pleasant, and they are likely to be respected in the growth of the city. For the Périgueux of modern days is a growing town, and its growth takes the direction of the older Vesona rather than that of the *puy* of Saint Front. It looks as if things were turning back again, as if the oldest site was likely again to become the newest. Strange indeed it would be if Saint Front and his *bourg* should ever be left as Saint Nazaire and his *cité* are left at Carcassonne. Still closer would be a parallel from a more distant region. Saint Front may some time be like the Latin hill-town of Syra,

where the newest town has sprung up again at the foot of the hill on the site of the oldest.

How distinct *cité* and *bourg* at Périgueux once were is well shown by an old engraving, seemingly of the sixteenth century, which is to be seen in the museum. Saint Front here appears as the centre of a thickly packed mass of streets, covering the hill and well fenced in with walls and towers. Of these last one, known as *Tour Mataguerre*, is still a prominent object. A wide space, occupied by no buildings, save a few scattered friaries which have since perished, parts this strong and busy-looking town from a group which seems to consist of nothing but the church of *La Cité*, the *Château Barrière*, and the amphitheatre, then, it would seem, perfect or nearly so. They seem to be fenced in by more of the ancient wall than is now left, and of course the *Tour de Vesone* is seen outside the wall. There really seems nothing in the way of ordinary streets and houses. But the lettering, *Église cathédrale, Maison épiscopale*, reminds us that this almost forsaken spot was the true city, that here was the abiding head of the land and its folk, *Vesona Petracoriorum*, *Civitas Petracoriorum*, Périgueux, head of Périgord. Of the head church of that land, so marked in the old print, *l'église de la Cité*, we have already had a glimpse. It is now but a fragment which survived Huguenot havoc in the religious wars; but it is a fragment which elsewhere we should welcome, and which elsewhere we should certainly not look on as over modern. But somehow, here in old Vesona, Romanesque of the eleventh century does look rather modern. In such a neighbourhood we ask for something Roman, something like the baptisteries of Poitiers and Le Puy, at the very least for Romanesque of the very earliest type, like the oldest parts of Jumièges. The wall, the gate, the tower, the amphitheatre, all put the church to shame in point of age. At the *Château Barrière* people are actually living in a house of much the same date and style. When we turn to the architectural history, we find that the church of *La Cité*

is simply one of the many churches which, after the building of Saint Front, arose in imitation of its style. The church that was later in foundation, the church of the second Périgueux, set the fashion for the existing church of the ancient city, which must have displaced some far older building. But the church of the bishop must, in its best days, have been a lowly pile beside the church of the abbot. As it now stands, the great western tower, which in the print stands up proudly as a rival to Saint Front, has perished utterly, and one bay of the building has perished with it. One bay of the eleventh century is standing, but its apse has given way, strangely enough, to a square-ended choir of the twelfth, essentially of the same style, but somewhat taller and richer. Each bay bears its own cupola; but to the varied grouping of the many cupolas of Saint Front there is no pretence.

In the like sort we must take a second glance at the other buildings of Vesona. The amphitheatre does not show itself in the general view. A captious traveller once said that all amphitheatres are very much alike; and so they are, except when they are unlike. That at Pola has original peculiarities of its own; those at Arles and Nîmes show signs of their later history. But, unless possibly to an eye learned in the special lore of amphitheatres—for there is such a special lore—the remains, fragmentary but considerable, of the amphitheatre of Périgueux do look very much like other amphitheatres. The wall and the temple are more attractive. We have already described the tower of Vesona, the temple that is, whether of Venus, of the local Diana, or of any other deity, as it looks. How it is thought to have looked when it was perfect, with the marble facing of the round, and the columns which stood around it and in front of it, may be seen in the old volume of Count Taillefer and in a clever model in the museum. No buildings change so much—whether they always lose is another question—by being, as the tourist said, somewhat out of repair, as Roman buildings, whether in Rome or elsewhere. The *Tour de Vesone*, as it now stands, would never suggest to any eye

what the perfect building really was. It is hard to conceive either a Greek temple or a mediæval church, whatever its state of ruin, from which all sign of its original shape should have passed away. But those to whom this vast temple-*cella* does not suggest a gas-work would certainly, till after a very minute examination, be tempted to set it down, according to its traditional name, as a military tower. The difference is perhaps not far to seek. The Greek and the mediæval building has each its own shape, and keeps to it; it ornaments its construction. No amount of ruin can utterly sweep away the memory of the original plan. In the Greek temple the *cella* cries for its columns to surround it. Here is a *cella* which certainly would not at first sight proclaim that it was ever surrounded by columns at all. This is in truth the general character of Roman architecture; the constructive and the decorative features have commonly nothing whatever to do with one another.

But after all the most notable of many notable things in the elder Périgueux is surely the *Château Barrière*. The combination of the Roman wall and the houses built on it in the eleventh century and in the fifteenth or sixteenth must be unique. It is the latest part which is most utterly ruined and forsaken. This part must have been a good specimen of a French *château*—for, placed in the *cité*, not in the *bourg* of Périgueux, it has much more in common with a rural *château* than with a *hôtel* in a town—of the best and richest form of French Gothic. But it has nothing local about it; it might have stood in Normandy or Champagne just as well as in Périgord. But the Romanesque part of the building is thoroughly local. It is in all things akin to the neighbouring church; either in Normandy or in Champagne we should have found something very different. The court-yard contains a number of broken columns with capitals of various kinds. They show mostly those later Roman forms which a severe classical taste despises as departing from the only two or three models which it endures, but which the historical view of art

cherishes as examples of Transition, as something still Roman and not yet Romanesque, but which points the way to the Romanesque that was to come.

But the main architectural wonder of Périgueux is not to be found in the old city, but in the *bourg* of Saint Front, in the church of Saint Front itself. The *bourg*, as we have said, grew up round the abbey, its narrow streets climbing the *puy*, its houses, till the changes of late times, gathering close indeed round the great church which formed its centre. But the church round which the new town first began to gather was not the famous Saint Front that has made Périgueux memorable in the history of art. That church is more ancient than one would fancy; but it had a predecessor, and of that predecessor some faint traces may still be seen. This part is at this moment* under the very hands of the destroyer: the old work is perishing; the new is taking its place. Yet an untouched, though blocked, window may still be seen outside, and inside a peep at the right moment may be rewarded with a glimpse of a bay or two of the first basilica of Saint Front. There still are its plain massive arches, looking more like those of a crypt than of a church meant to stand above ground. It can now be best studied in the volume in which the whole tale of the architectural history of Périgueux has been told by one of the best and most zealous of architectural inquirers. Périgord may be proud of having its buildings described by such a son of its own as M. Félix de Verneilh. At my first visit to Périgueux in 1857 I had the advantage of seeing something of the city in his company; I can now only turn to the admirable book which he has left behind him.† We there see what a thoroughly epoch-making building Saint Front

* [April, 1886.]

† 'L'Architecture Byzantine en France. Saint-Front de Périgueux et les Églises à Coupoles de l'Aquitaine.' Par M. Félix de Verneilh. Paris. 1851.

is in the history of the building art in Gaul. Its building, startling as it may seem, is fixed by the researches of M. de Verneilh* to a time between 984 and 1047. That year is the recorded date of the dedication of a church of the abbey, and there seems no evidence for any later rebuilding. The church was an evident imitation of Saint Mark's at Venice, the result of a busy mercantile intercourse which bound Aquitaine to Venice and to the lands to which Venice still looked up. A building thus arose which is undoubtedly one of those works which stand at the head of the several classes to which they belong. When we think of the domical churches of south-western Gaul, we think of Saint Front as their undisputed chief and model. It is the parent of a large class of buildings, a class which has thoroughly taken root in that region, which has put forth vigorous native developements, and which has grown into what is, in every sense of the words, a characteristic local style. Yet Saint Front, at its beginning in the last days of the tenth century, must have been something as purely exotic in Périgord as any Gothic church of purely French type could have been in the fourteenth or fifteenth. As Saint Mark's reproduces Saint Sophia, so does Saint Front reproduce Saint Mark's. The ground-plan, the whole general design, is the same; the four cupolas gathering round a central one are alike in all; that Saint Front does not repeat the gorgeous mosaics of its models makes a vast difference in its internal effect, but does not affect its architectural construction. Of strictly architectural changes there is but one; but that is one of no small moment. All the main arches of Saint Front are pointed; it is on arches of that shape that the great cupolas rest. But it is a warning which cannot be too often repeated that pointed arches in Southern Gaul, just as in Sicily, have not the same meaning which they have in Normandy and England. The pointed arches at Périgueux are no more signs of coming Gothic than the pointed arches at Tiryns and Tusculum. The form may

* Page 115.

have been used simply because it was found to be constructively convenient, or it may be in Aquitaine and Provence, what it undoubtedly is in Sicily, a sign of the influence of the Saracen. It is a constant feature where every detail is Romanesque; it is specially chosen for the roofs, and in some cases for an obvious reason. In Provence the barrel-vault is the rule, and it is a clear gain to make the barrel-vault pointed; besides giving greater height inside, it lessens the space between the inner and outer roofs.

The inside of Saint Front may therefore be roughly described as that of Saint Mark, without mosaics and with pointed arches. It might be added that it is also without galleries; but that is a mere difference of arrangement which does not affect either the ground-plan or the main lines of the construction. The distinctive character of Saint Front is that it reproduced in the West the Byzantine plan and construction, but reproduced it with the arches pointed instead of round. Nor did it remain a solitary or exceptional building. It set the fashion over its own province and several neighbouring provinces. Périgord, Quercy, Angoumois, Saintonge, were covered with domical churches. Nor is the form wholly unknown in other parts; the Angevin style, distinct as is its own character, has clearly been largely influenced by domical ideas; there is an actual cupola as far north as Blois; slighter traces of domical influence have even found their way into Normandy, as may be seen in Duchess Judith's abbey of Bernay. It is the cupola resting on the pointed arch which is the characteristic feature; we must not look everywhere for the complete Byzantine grouping, such as we see at Saint Front. In the nearest among its neighbours and followers that grouping can never have existed even when the building was more perfect than it now is. It must have been a proud day for the brotherhood of Saint Front, which had in every sense out-topped the church of the bishopric below, when they saw the church of the bishopric rebuilt, as it must have been in the course

of the eleventh century, in somewhat lowly imitation of the aspiring abbey. For Saint Stephen of the City, even when he boasted his third cupola and his tower, must always have lacked the characteristic grouping of Saint Sophia, Saint Mark, and Saint Front. So it was with other churches in Périgord and elsewhere. M. de Verneilh has a long list: I have seen enough to show that the cupola is found in not a few Petracorian churches of various sizes and plans. Sometimes the cupola acts simply as the vault of the central tower in a church of the common cross form, or of the form like Iffley, with nave, choir, and mid-towér, but no transepts. The former is the case in the abbey of Chancellade, where the central dome is yoked to a nave of most un-Byzantine length, and in the little church of Valeuil, an example of the local style on the smallest scale. In other cases, as at Saint-Jean de Cole, with its many apses, and at Bourdeille,*—Bourdeille above the Dronne with its famous castle—a series of cupolas covers or has covered the whole building. But where we should most have looked for the local usage, at Brantôme, the abbey between the rock and the river, Brantôme with its western *cortile* † like Parenzo and Saint Ambrose, cupola and apse are strangely lacking, and the three tall bays are vaulted after the fashion of Anjou.

But, if Brantôme lacks the cupola, its tower is well-nigh a rival to that of Saint Front itself. The tower of Brantôme stands on the rock, and the tower of Saint Front has a foundation only less ancient. I have already mentioned that to the west of the domical church of Saint Front some relics still survive—or survived a month or two back ‡—of the elder basilica which went before it. It seems to have been spared in order to form a basement for the tower,

* In April, 1886, this most interesting church was in the destroyer's hands. The apse was already rebuilt.

† If my memory does not strangely fail me, this *cortile* was perfect in 1857. Only about half was standing in April, 1886.

‡ April, 1886.

which is built over it, much in the same way in which the western tower at Limoges and the eastern tower at Le Puy are both built over earlier buildings. The tower itself, a work of the eleventh century, remodelled in the twelfth, is one of the best specimens of a somewhat classical Romanesque which still cleaves to half-columns and entablatures. Its conical finish is held to have set the fashion for the district. A vaulted building connected the tower with a gateway to the west, where, over a plain pointed arch, are two ranges of sculptures, Christian Roman rather than Romanesque, which, without much likeness, somehow call up the memory of the work of Charles the Great's day at Lorsch. They must surely have been built up again from the primitive building. To the south-west of the church is a cloister, two sides unmixed Romanesque, while the other two have pointed arches. Here the form is a distinct sign of the Transition; there is no such constructive advantage about it as there is in the cupolas and barrel-vaults.

I have spoken of 'destruction' and 'destroyers' when speaking of the works which have been going on at Saint Front seemingly for the last thirty years. Certainly nowhere has the dangerous process called 'restoration' better deserved the harsher name. We can hardly say that the real Saint Front now exists at all. There is a building which preserves its main outlines and reproduces some of its details; but it is not Saint Front itself; it is not in all points even a faithful copy. The characteristic masonry is utterly destroyed. I have happily some drawings which I made in 1857, which remind me how Saint Front was then; but Saint Front itself has perished. Even in 1857 the magnificent capitals were thrown about uncared for; now all has been made new according to modern fancies. One special folly was to pull down the east end which had been added in later times, work seemingly of the fourteenth century, which was at any rate better worth keeping than work of the nineteenth. The only improvement on the past state of things that I can see since my

former visit is that now the cupolas stand out, set free from the roof which used to hide them. So far, and so far only, the hopes that M. de Verneilh cherished when he wrote his book have been fulfilled.

The narrow streets that climb and cover the hill of Saint Front ought to be rich in ancient houses. And though many have perished, some of various dates still remain. In the streets and *places* north of the church some good specimens have been spared of the latest Gothic and of the *Renaissance.* And in the lower parts, between the church and the quay, besides some picturesque turreted houses of no special detail, there still lurk, not far from the tower of *Mataguerre,* in the streets of *Les Farges* and Saint Roch, some mutilated fragments of Romanesque houses of excellent work in the later forms of the style, following well on the earlier fragment at the *Château Barrière.*

Such is a glimpse at a city which, if it fills a smaller place than some in general history, may perhaps be thought to make up for the lack by the special interest of its own local history. We turn to another city, of high interest in itself, though certainly of less interest than Périgueux, but whose name is probably far better known. Our course leads us to Cahors, and Cahors lives, though with an unpleasant renown and in still more unpleasant company, in the verse of Dante. The course between the two cities is a striking one. The iron road takes us through the characteristic scenery of the Aquitanian lands, so different from the tame flats of so large a part of Northern Gaul. We run along the valleys of the Lisle, the Varèze, the Dordogne, and Cahors' own stream of Lot. We pass by the rocks where primæval man made his burrow, where he hewed out for himself those caves in the hill-side where the præ-historic artists, the Pheidias and Praxitelês of the Eskimo age, carved the elk and the elephant so cunningly that there is at least no need to write 'elk' and 'elephant' under them. There we see one side of the scientific interest

of the Petracorian land, an interest as deep in its way as the interest of Saint Front and the cupolas that followed its pattern is in another. The ancient rocks overhang the ancient river, looking as ready to topple over, and as little likely really to do so, as Rome's *Muro Torto* itself.

We pass on by hills whose history is of later days, each height crowned by its castle, suggesting the kind of men among whom our own Simon, in his earlier days, had a stern work of justice to do. We pass by the Gaulish stronghold at Luzerch, and though neither Luzerch nor Cahors is Uxellodunum, we are reminded that we are in the land of the Cadurci, the land of Luctorius and his people. They fought well against the universal conquerors, and their names are clothed with no small renown in the book with which Hirtius wound up the Gallic Commentaries of Cæsar. And the city to which we draw near, the capital of the tribe, Divona Cadurcorum, may fairly draw some honour from the exploits of the tribesmen. The modern Cadurci at any rate think so; Luctorius has a *place* dedicated to him just within the north gate of the city, or at least just within the point where the north gate stood. At that point there is a stone or two which looks like a scrap of Roman masonry; but the imitation of Roman construction went on so long in these lands that it is dangerous to form a theory on a mere scrap. At any rate, since the *Cadurci* took their later shape of *Cahorsins*, their city has contributed some memorable names to history. Pope John the Twenty-second has a noble tower bearing his name, and a very shabby street. Both tower and street are fragments of the great palace of the pontiff who filled all places in his gift with men of Southern Gaul, specially with men of Cahors and Quercy, more specially again with kinsfolk of the Pope who had been James of Ossa, or in Cadurcian spelling, Jacques Deuse. Watchful over his own land and city, he founded the university, he burned the bishop, and he cut the diocese in three. A man of Cahors of later times, Léon Gambetta, has a wide central

boulevard and a conspicuous monument. But statesmen of the nineteenth century seem not to exalt their kinsfolk like popes of the fourteenth. The names of Gambetta *ainé* and *jeune* are still to be seen over very ordinary shops, and one of them is marked as 'bazar génois' for the sale of 'épicerie génoise.' In days too between the Pope and the man of our own times, Cahors saw the birth of the sweet psalmist of Huguenot France, Clément Marot. These two or three striking names of natives of Cahors are perhaps more striking than the general history of the city. Yet that history is stirring enough. It consists largely of the usual shiftings to and fro of a South-Gaulish land, ending in not a few cessions backwards and forwards between kings of France who claimed to represent the counts of Toulouse and dukes of Aquitaine who happened to be also kings of England. But Cahors has also, even in this matter, a story of its own. From the days of Philip Augustus the bishops of Cahors claimed to be counts of their own city, holding immediately of the King of France. As counts of Cahors they had not a few disputes with the consuls of the city, and Bertrand de Cardaillac, as a liege-man of the King of France, refused to be bound by the treaty of Brétigny which transferred his county to the now sovereign Duke of Aquitaine. In later days, the city of Cahors, strong for the League, was taken by Henry of Navarre, and the loss of its commercial privileges that followed seem to have destroyed its ancient prosperity. A modern Italian poet is not likely to pick out Cahors for special praise or blame.

The approach to Cahors by the railway from Périgueux at once suggests that the city has been greater than it is. Of the pleasant land of Quercy, with its hills rising above the broad Lot, hills sometimes rocky, sometimes grassy, the traveller has already seen something, and if he happens to be on the right side of the train, he will see something of the noblest appendage to Cahors, if not of the bridge of Valentré itself, yet at least of its towers.

A glimpse may be had also of other walls and towers, but none of the most striking objects which the walls contain, nor yet the most striking parts of the walls themselves, come into sight from this point. We see at once that this whole side is rather a forsaken quarter. It is within the city; the walls show that; but it contains only scattered buildings. It looks like the *cité* of Périgueux, without its great monuments. It is quite another view that we get when we pass to the eastern side.

To see the bridge of Valentré, as distinguished from its towers, in its full perfection, the traveller must take the path on the left bank of the river to a point a little above the bridge. To see Cahors, as distinguished from its bridge, in its full perfection, he must place himself in much the same position as that in which he first placed himself at Périgueux. He should cross the bridge which spans the Lot on the eastern side of the city, a bridge which would count for a good deal on any other river. Hence let him look across at Cahors from the opposite suburb. He will there really see what in the like case at Périgueux he only seemed to see. That is to say, the Cahors on which he looks is the true Cadurcian city, while the Périgueux on which he looked from the same point was not the true Petracorian city. He looks at the eastern view of the church of Saint Stephen at Cahors, as he looked at the eastern view of the church of Saint Front at Périgueux; but Saint Stephen is, what Saint Front is not, the true and ancient seat of the bishopric of the city on which he is gazing. There is in fact nothing at Cahors which answers historically to Saint Front; there is not, at present at least, any great secondary church; the church of Saint Urcise can hardly claim that rank; Cahors has, in the language of Gregory of Tours, an *ecclesia* but no *basilica* alongside of it. But Saint Stephen is by no means the same dominant object in the view of old Cahors which Saint Front is in the view of new Périgueux. We at once see that, at Cahors at any rate, the city itself is greater than any

object in the city. What strikes one most of all in the view from the bridge, or, more effective still, in the view gained by going a little way up the hill on the other side of the river, is the range of walls and towers which rise above the rock, and fence in the north-eastern end of the town. Without venturing to liken the ramparts of Cahors to those of Luzern or Cortona, the 'diadem of towers' which the loftiest quarter of the Cadurcian city 'lifts to heaven' is by no means to be despised. The whole grouping of walls, towers, and houses, rising above the winding river, girded by hills on both sides, is as striking and picturesque as any grouping of its own kind. For we are not dealing with some huge fortress on an inaccessible height; we are not dealing with exceptional fortifications like those of Carcassonne, exceptionally well preserved. We are dealing with an ordinary Gaulish city of the usual type, planted on a moderate-sized hill sloping down to the indispensable river.

When, from this general impression, we go on to step out the site more in detail, we find that Cahors is far more of a river-city than Périgueux. The Lisle runs by Périgueux, and that with a bend; but the river in no way compasses the city. But the Lot does go a long way towards compassing Cahors. The site is as thoroughly peninsular as the site of Bern, of Shrewsbury, or of Besançon. On the eastern and western sides the hill rises above the river with some steepness; on the south it slopes gently to the stream; the northern end forms the isthmus guarded by the wall. And the view from the walls and towers in the north-eastern quarter of the city, the view over the wide river and the hills beyond it, over the great Dominican church beyond the bridge, over scattered houses and villages and the towers of a castle crowning a lower height by the river-side, is a noble one indeed. It was in truth a pleasant site on which the Cadurci planted their Divona. This eastern side of the hill is thickly covered with houses gathering round the cathedral church and the chief buildings, old and new. The western side, among its few straggling streets, contains

some churches and former monasteries; there too is the palace of the bishop, carried away to an unusual distance from his head church, and there is the one conspicuous Roman relic of Cahors, the so-called portal of Diana. But the portal stands in a garden; and through a large part of this side of the town we thread our way, not through narrow and closely packed streets, as on the other side, but, by roads and paths that might be in the open country. We follow these along the wall of the isthmus and along the western edge of the hill, till we look again on the river and on the hills on its other bank, the noble bridge of Valentré, with its pointed arches and its three towers, and on the modern railway station to which part of the wall has given way.

Here then is a city which, if it has not such a story as Périgueux, if it does not give us the same opportunities for research and speculation as are supplied to us by Périgueux before we know its story, occupies a decidedly finer site than Périgueux, and has, as a city, as a collection of dwellings fenced in by a wall, a very distinct story to tell, and which supplies some questions for speculation also. We at once ask whether the western side of the hill ever was so thickly inhabited as the eastern. The city in the day of its decline may easily have shrunk up like Autun, or Rome itself. Or let us compare it with the most striking case of all, with Soest in Westfalia, where the present small town stands in the middle of fields and gardens, a journey through which towards any point of the compass leads us to the wall of the once great Hanseatic city. But the western side at least of Cahors was fenced in, and the existence within it of the one undoubted Roman relic in the city shows that the ground was occupied, even if only as a suburb, in Roman days. The so-called Portal of Diana is undoubtedly not a portal, and there is no reason to think that it has anything to do with Diana. As it stands now, it is a single arch, with a window or other opening over it; but the single arch was one of a series, for there are the springings of

arches on each side of it, and of another springing at right angles to it. It is therefore a mere fragment, perhaps, as has been conjectured—a conjecture always both easy and likely—a fragment of baths. The construction is that with which we are most familiar in Britain and in Northern Gaul, which in those lands is the characteristic fashion of later Roman times, but which we do not see at all in Rome itself, and much less commonly in the more thoroughly Romanized lands of the South, the small stones alternating with layers of brick. At Cahors, as in many other places, this manner of building has really never died out; something essentially the same is found in buildings set up yesterday. Of the Roman date of the arch there can be no manner of doubt; and we still hope with fear and trembling that at least one stone at the north gate is not due to any mediæval or later builder. We infer that, in the days when the Cadurci were subjects of Rome, their city, at least in this direction, stretched as far as it does now. The site of the bridge of Valentré too must have been guarded at all times; but the presence of the cathedral church proves the eastern side to have been always the heart of the city, while the western side may have been as it now is, a place of scattered dwellings only.

The great church of Cahors, the church of Saint Stephen, is one which it is well to study next after Saint Front. Here again we have cupolas, but not the grouping of those of Périgueux. Saint Stephen's, a building of strange outline from any point, follows a far simpler plan. It has more in common with the church of *La Cité*. Two bays only, each bearing its cupola, form the nave. To the east the ancient choir and its chapels were raised in a singular way in the thirteenth century, forming an apse of strange design within and without, but by no means lacking in stateliness within or without. The west front takes an odd form which is sometimes seen in North Germany, but which seems strangely out of place when attached to a domical church in Southern Gaul. One can describe it only

as two flat towers with a third tower between them. There is something like it at Angers; but the amazing specimen there has nothing like the heaviness of the front of Cahors. The glories of the church of Cahors are in truth the magnificent Romanesque porch on the north side and the elaborate paintings of the fifteenth century which have been brought to light within. We spell them out, half sighing that in a building which had so much about it that savours of the East, we do not see the mosaics of Ravenna, but glad that we have at least something better than the bare walls of Saint Front. Saint Stephen of Cahors is at least not restored; it is pleasant to sit and muse under the wide span of the spreading domes, to contrast their massive simplicity with the busier design of the apse, its sides of unequal length, its elaborate windows, and to feel ourselves, as we are, far away from any of our ordinary fields of study. A graceful cloister of the latest French Gothic is an exotic; but it is pleasant in itself and it allows some good views of the grouping of the building, and specially of the daring way in which a huge round window was cut through the original Romanesque transept. Altogether, if only because Saint Stephen of Cahors is not in itself so wonderful as Saint Front of Périgueux, for that very reason it tells us more of the city and the land in which we are. Saint Front, as has been already said, must, when it was built, have been an exotic, a strange and foreign object which startled all beholders. By the time that Saint Stephen's was built, the cupola had become an established local form which could have startled no one; all that could at any time have been strange is to be found in the later additions east and west.

The cathedral church on the one side, the bridge of Valentré on the other, are without doubt the chief attractions among the monuments of the Cadurcian peninsula. But there are other things which must not be forgotten. The church of Saint Ursice, the Ursicinus who figures in Gregory of Tours as a supporter of the Merowingian Perkin Warbeck

Gundobald, though hardly worthy to rank as a second church to Saint Stephen, has some notable points. Its capitals, of the later Romanesque, are a study, and it keeps, both above and below ground, some traces of a church of Primitive work, suggesting the crypt of Saint Gervase at Rouen. In the suburb beyond the Lot, the Dominican church, now partly ruined, partly destroyed, partly set up again in a bungling sort, must have been an example on a grand scale of the characteristic type familiar to the friars. Cahors too is rich in houses. Mere pointed arches are a drug; the narrow streets are full of them; but sometimes rich windows, early and late, appear also. A wealthy and artistic-minded burgher of Cahors was clearly not too grand to live over his own shop. But the houses of fine work are mostly along the quay, and mostly, though not all, of late date. Such is the house called that of Henry the Fourth, conqueror of Cahors. Some bits of detail may also be found in the towers, besides their picturesque grouping. On the whole, the artistic and historic treasures of Cahors are smaller than those of Périgueux. Saint Stephen is not Saint Front, and the palace of Pope John is not the *Château Barrière*. On the other hand the fine position of Périgueux must yield to the finer position of Cahors, and the bridge of Valentré is unrivalled at Périgueux or elsewhere. It is no mean city after all whose folk Dante did in a manner honour by giving them a special place among sinners.

There are plenty of other cities in Southern Gaul, and for the matter of that in other lands, our own among them, which it would be pleasant to treat in the same comparative way in which I have treated Périgueux and Cahors. I would earnestly recommend Southern Gaul as a specially rich field for study of this kind, and one comparatively untrodden. It is a land to which I would send travellers bent on any kind of intelligent object, whether flint weapons, cupolas, or anything else. By mere tourists it is not likely to be speedily overrun.

VII.

THE LORDS OF ARDRES.*

Monumenta Germaniae Historica inde ab anno Christi quingentesimo usque ad annum millesimum et quingentesimum. Edidit Societas Aperiendis Fontibus rerum Germanicarum medii ævi. Scriptorum Tomus xxiv. (Gesta Episcoporum, Abbatum, Comitum, saeculi xii. et xiii.) Hannoveræ. 1879.

THE diligent student of mediæval history will be struck by nothing more than by the amazing variety of the materials with which he has to deal. Setting aside documents strictly so called, and thinking for the moment only of narrative writings, he has to deal with every form of narrative, from the driest annals to the most detailed local and personal records. Here he finds a meagre reckoning of years, in which the entry of a death, a battle, a storm, the building of a church or the taking of a town, alternates with the entries of 'Annus. Annus. Annus'—the years under which there was nothing to set down at all. He next lights on a life, a local or family history, minute sometimes even to grotesqueness, setting before us in life-like style all the doings of this or that prince or bishop or abbot. The main value of such a record is that, in setting forth all these personal doings, it sets forth something of much greater importance, the ways of thinking and acting which the hero of the tale shared with other men of his own time. Now and then indeed it may show, what is

* [I believe this is the only paper on a local subject that I have ever written without seeing the place. I can only plead that the places spoken of are very near Calais, and that at Calais one always wants to go on, one way or the other.]

more precious still, notices of ways of thinking and acting in which a marked man here and there differed from other men of his own time. More instructive again from a certain point of view are the records of professed hagiology, the lives of saints, the collections of miraculous cures and deliverances. They have an use which those who wrote them certainly never reckoned on. It belongs to another range of inquiry to rule how much in such stories is sober truth, how much is sheer invention, how much is unavoidable colouring. In all such cases, setting aside the possibility of real miracle, we ask how much is imposture, how much is fiction, how much—the largest class, we may suspect, of all—is the working of ordinary causes naturally taken for miracle in an age when miracles were looked for, and when men would have been disappointed if they had had no miracle to tell of. But under whichever of these heads we may place any particular miraculous story, all are equally valuable for one purpose; all alike, whether true or false on any other point, are sure to be true to the thoughts, the feelings, the manners, of the time. Nay, many stories which, as direct materials for history, we throw aside with scorn, romantic tales crowded with absurd blunders and anachronisms, tales which teach us nothing about the times when the story is laid, may often teach us a great deal about the times when the story was written. Even in the lowest depth of all, when we get down to deliberate forgeries like the false Ingulf, while we learn nothing about the eleventh century itself, we may at least learn how the eleventh century looked in the eyes of the fourteenth.

We have before us, printed in the last published volume* of the 'Monumenta Germaniæ Historica,' a local and family narrative which illustrates a good many of these remarks. It is a record which, if it ever brings us across the chief men, the chief events, even of its own age, does so only rarely

*. [1880.]

and incidentally. It deals mainly with persons neither of the highest rank nor of the highest personal importance. Its scene is not laid in any of the great cities of the earth, or on any of the decisive spots of the world's history. But it deals with a corner of Europe which has in all ages had a certain special historic interest of its own; it gives us vivid sketches of men who had more or less to do with others of greater mark than themselves; above all, it gives us a crowd of pictures of manners and ways of thought during the time of which it treats. This is the History of the Counts of Guines, by Lambert of Ardres ('Lamberti Ardensis Historia Comitum Ghisnensium'), most interesting perhaps in its character as a record of Lambert's nearer neighbours, the Lords of Ardres. He gives us a narrative, always attractive and often highly amusing, of the doings of the chief men of the debateable land between Picardy and Flanders—at a later time the debateable land between France and England—for several generations down to the beginning of the thirteenth century. It is full of graphic and vivid touches of character and manners. It is curious as setting before us many things in their beginnings—the growth of families, the foundation of castles, the establishment of colleges and monasteries, the grant of franchises to growing towns. It shows us the various gradations of feudal rank in all degrees but the highest. The Emperor, the Kings of France and England, are almost beyond our reach; of such great personages as these we get only rare and distant glimpses. But we see plainly the different positions of the Lords of Ardres, the Counts of Guines, the greater Counts of Boulogne, and the mighty marquesses of the great march of northern Gaul and northern Germany, the Counts of Flanders, peers of kings in all but their proverbially precarious homage to two lords at once. Altogether few records whose value is wholly of a secondary and incidental kind are more full of instructive matter put forth in a shape which is attractive even in its faults. For our Lambert is lively enough, and makes a point whenever

he can. If he rather overdoes matters in a style savouring of the high-polite, if he stuffs his tale too full of scriptural and classical references, we can forgive him at this distance of time. And, if he belongs on the whole to the courtly order of writers, whose object is to celebrate the fame of a particular noble house, he by no means belongs to the worst class of that order. He is not one of those who care not by what amount of flattery and falsehood they can glorify their patrons. He doubtless makes the best that he can of any doings of the two families of which he is the laureate. But he certainly does not conceal their faults; indeed one class of their faults he brings out into almost too great prominence. And it is his desire to record whatever they did, even when it was of no great importance in itself, which helps to so many vivid pictures of the manners and controversies of the age.

The cause which led Lambert to write his book, as he himself tells it, is very curious, and on the whole certainly creditable to him. He was a priest in the collegiate church of Ardres, who was living at least as late as 1203, to which date he carries down his story. The incidents which led him to write his book happened in 1194. Arnold, the son of the reigning Count Baldwin of Guines, and himself Lord of Ardres, had been excommunicated by William Archbishop of Rheims for pulling down the mill of a certain widow. It is always worth notice when, as in this case, we find ecclesiastical censures lighting on the great ones of the earth, not for formal ecclesiastical offences, but for moral crimes. But Arnold was going to be married; so, to make himself capable of the sacramental rite of matrimony, he made his submission to the Church, and was absolved. Count Baldwin sent word to Lambert to have the bells of the church of Ardres rung in honour of the absolution of the Lord of Ardres. What followed is told with an amazing flow and pomp of words. Lambert had no regular official knowledge of the absolution; he therefore put off ringing the bells for a couple of hours, till

he could better judge what to do. By this time the Count and his son had come. The wrath of Baldwin was great; his threats were fearful. Several lines of the most swelling Latin set forth the thunder of his voice and the lightning of his eyes. The unhappy churchman fell at his feet as one dead. Arnold, the person more immediately concerned, was more merciful than his father; he, his brothers, and other knights who were with them, picked up the half-dead Lambert, set him on a horse, and took him along with them till they talked the Count into a reconciliation. But though Lambert was outwardly received into Baldwin's favour, he felt that the Count was not really so friendly towards him as before. More completely to win back his favour was one, but not the only object—*maxima causa, nec tamen primaria*—with which he undertook the writing of his book. Baldwin had a taste for books, and it seems to be taken for granted that he would be pleased with a book which freely and fully described his own deeds, good and bad. Arnold at least should have been pleased. Never was a livelier gush of Latin poured forth than when Lambert describes Arnold's bride Beatrice, fair as Helen or Cassandra, wise as Minerva, rich as Juno. Never were the Hebrew scriptures more carefully ransacked for forms of blessing than when Lambert describes how he himself, accompanied by his sons—a point to be spoken of again—was called on by Count Baldwin to bless the marriage-bed of Arnold and Beatrice. In due course of time he had the further pleasure of baptizing two at least of the children of her whom he calls 'virago nobilis et præpotens matrona,' 'inter beatas beatissima Beatrix.' One was a younger Beatrice, the other a son, 'mellifluus puer Baldwinus.'

If we have any ground of quarrel with our pleasant genealogist and tale-teller, it will be on two points, one of which is no fault of his, while, with regard to the other, we fear that we have ourselves followed his lead. We have told part of our story out of its place, and we have, in

telling it, already brought in two Baldwins and an Arnold. Now we confess to have got thoroughly baffled, and we suspect that most readers of Lambert's story will get baffled, at the prodigious number of persons in the tale who bear these two names, Baldwin and Arnold. 'Lætentur igitur omnes hinc et hinc Arnoldiadæ,' says our author at one point. But the number of those who are thus called on to rejoice on all sides makes it a little puzzling for a reader seven hundred years later. It is not always easy to distribute all the deeds of all the Arnolds with perfect accuracy, each one to the right Arnold, or even to put every Arnold in his right lordship and his right generation. It is a pleasing picture when we read of the perfect friendship between one Arnold Count of Guines and another Arnold Lord of Ardres—both of them, we must add, quite distinct from the Arnold of whom we have already spoken, and belonging to an earlier generation. These two Arnolds were another Theseus and 'Perithonus;' as a man's body has two hands, so their two bodies had but one mind. They were lord and man; but each did his share of the mutual relation so thoroughly, that Count and Lord, one heart and one soul, differed in nothing except that one was called Count and the other only Lord. It was well that two neighbours who might have spent their time in harrying each other's lands should thus dwell together in a godly unity; but the very unity makes it harder to distinguish Count Arnold and Lord Arnold in any casual reference. This is no fault of our teacher Lambert, who had not the naming of all his characters. But we are inclined to make one gentle murmuring on another point, which Lambert had in his own control. We have said that the book contains the history both of the Counts of Guines and of the Lords of Ardres, and that the history of the Lords of Ardres is in some respects the most interesting part. It is therefore a little hard that, though the Lords of Ardres are constantly spoken of through the whole story, it is only towards the end that we get their continuous history. It

is brought in, to be sure, in a romantic fashion. It is a rainy day, and the inhabitants and guests of the castle of Ardres are kept indoors, Arnold of Guines, grandson of the one just spoken of, among them. They take to telling stories. An old knight, Robert of Coutances, tells of the Roman Emperors and 'Karlomannus,'* of Rowland and Oliver and Arthur, King of Britain. Philip of Montjardin told of the land of Jerusalem and the siege of Antioch, of the Arabians and the Babylonians—the Egyptian Babylon, it must be remembered, is meant—and of the *gestes* of all the parts beyond sea. Walter of Ecluse, a common kinsman of all the *Arnoldiadæ*, could tell of the *gestes* and fables of the English, of Gormund and of Ysembard, of Tristan and Isolde, of Merlin and Merculf, and moreover of the *gestes* of the Lords of Ardres, and of the first building of their town and castle. Happily this last is the tale which Walter himself picks out to tell, and as a matter of telling it has some advantages when it comes in the form of a *saga* from the mouth of a near kinsman of so many of the actors. But, as a dry matter of chronology, it would have been more intelligible if it had come in its proper place in the story as an avowed work of Lambert's own pen.

In this last fault we fear that we have ourselves copied

* 'Karlomannus' here takes the place of 'Karolus Magnus.' One can hardly doubt that *Karlmann*, as well as *Karl*, was among the elements out of which the mythical Charlemagne was put together. And though the name *Charlemagne* is etymologically from *Karolus Magnus* (like *Hue* or *Huon li Maigne* in Wace for *Hugo Magnus*), yet the ring of the name *Karlmann* doubtless helped to give it vogue. Wace, in a page (i. 295) where he calls Hugh Carpet *Chapes*, uses the hard form, *Karlemaine*. Our Robert of Coutances is 'veteranus miles;' otherwise he makes one think of Master Wace himself, a native of the diocese of Coutances, though a canon of the church of Bayeux.

[I let this note stand as I wrote it in 1880. I have now very little doubt that *Charlemagne* is simply the French form of *Karlmann*—there are several intermediate stages—transferred from one brother to the other, and influenced in its final spelling by the Latin form 'Karolus Magnus.']

the weaker side of our author by talking about Guines and Ardres, about their counts and lords, their Arnolds and their Baldwins, without telling our readers something more distinctly about the places themselves and about the forefathers of those Arnolds and Baldwins of whom we have casually spoken. We have, in short, begun near the end, and it is time to go back to the beginning. Guines and Ardres have both of them a place in English history. The name of one Lord of Ardres is to be found in Domesday; and his appearance there is only one of many facts which for several ages connect the land of the Arnolds and Baldwins with our own country. The county of Guines, now forming part of the French department of the Strait of Calais, lies at that point of the coast of northern Gaul where the coast-line, which has run nearly due north and south from the Norman frontier at Eu, trends to the north-east. This is just where the near approach of the Kentish coast forms the strait of Calais or Dover. We at once think of Calais as having been, at any time since the fourteenth century, the most famous place in those parts; but, though Calais is spoken of in our story along with a crowd of other places in the neighbourhood, it is spoken of only in a very secondary way; the days of its importance come later.* But Guines, no less than Calais, formed part of that small continental territory of England, the conquest of Edward the Third, which was kept for a hundred years after all traces of the older Aquitanian heritage had passed away. Between Guines and Ardres lay the Field of the Cloth of Gold, when 'the illustre King of England' was quartered in his castle of Guines, and 'the right christened king' was quartered in his castle of Ardres. The siege of Guines forms no small part of the history of the loss of Calais. In ecclesiastical matters the district lay within the jurisdiction

* The beginnings of the importance of Calais seem to date from the days when the county of Boulogne had passed to a French prince. In 1222 it was strongly fortified by Philip Count of Boulogne, son of Philip Augustus of France. See the Chronicle of Abbot William of Andres, in D'Achery's Spicilegium, ii. 867.

of the 'Morinensis episcopus,' the Bishop of Terouenne, in later times of Boulogne; but Terouenne and Boulogne alike were cities which at different times yielded to the arms of Henry the Eighth.

The land of Guines and Ardres was part of the county of Flanders in the wider sense, the original land of Baldwins and Arnolds, the land which in our own Chronicles appears as 'Baldwines land.' And when the western part of that county fell asunder to form the county of Boulogne, the Counts of Guines made it a point of honour to deny all dependence on the newer, nearer, and less powerful lord. The mightier and more distant prince who reigned at Bruges might be acknowledged as a superior, but not their neighbour at Boulogne. It was equally a point of honour to deny another claim, one which Lambert casts aside as a vain superstition, the claim of the abbey of Saint Bertin at Sithiu or Saint-Omer to a temporal lordship over the land of Guines. The monks of Saint Bertin did vainly boast that the castle of Guines was built on their land, and thence, it would seem, a claim arose to lordship over the whole county. Not at all, answers the patriotic historian of Guines. You have indeed lands in our county, lands which your bailiff looks after. And when our founder Sigefrith surrounded his donjon with a double ditch, he took in part of the land of your abbey, for which he gave you a fair exchange. That is all; as for the fact that our head church at Guines is dedicated to your patron Saint Bertin, that proves nothing. This lively bit of local disputation is worth notice. In those ages an ecclesiastical claim commonly stands out undisputed; we very seldom get the layman's answer. The man who in perfect good faith has a lawsuit with an ecclesiastical body gets called as hard names as a really sacrilegious robber. Here our witness is not indeed a layman; but he is a secular priest speaking of the claims of monks, he is a man of the land speaking of the claims of a body beyond its borders. Not only a monk of Saint Bertin, but almost any churchman

anywhere who had not so strong an interest on the lay side, would most likely have used quite different language. And, after all, there is reason to think that the monks of Saint Bertin had something to say for themselves. They had a right to the whole town of Guines, if the Emperor Charles the Bald had any right to grant it to them. For grant it to them he certainly did, along with a crowd of other places, in his charter dated from his Imperial palace of Compiègne, in the year 877, the thirty-seventh of his reign, the second of his empire.*

The land with which we are dealing came within the dominions of the prince of whose grant we have just spoken, not only in the character of Emperor which he held just at the end of his life, but in the earlier and lowlier character which he had so long held as King of the West-Franks, the realm to which he himself helped to give the name of *Karolingia*. But let no one therefore fly off with the notion that, even in the days of our Lambert, three hundred years and more after the days of the bald Emperor, Guines and its neighbour lands were strictly French districts. The divisions of the Frankish dominion were made with very little reference to language or nationality; in Charles the Bald's day none but such a specially keen observer as Count Nithard was likely to give any heed to such matters. But our book, with its abundance of local detail, its frequent mention of obscure places, its occasional introduction of popular words, brings home to us, in a way which a graver history might have failed to do, the fact that the land of our Arnolds and Baldwins had once been a strictly Teutonic land, and that it had by no means ceased to be a Teutonic land in their days. The local nomenclature and the local words show that it was a land of the Nether-Dutch speech. It is well known that there is no part of the continent where the names of places are more closely akin to names of places in England. It is easy to

* The charter is printed at p. 123 of the *Cartularium Sithiense* in the *Collection de Documents inédits sur l'Histoire de France.*

see this, even in the shapes which they have long since taken on French-speaking lips; it is still easier to see it in the less changed shapes which they took in the Latin of the twelfth century.* We have only to remember where we are, within the bounds of the ancient county of Flanders. The Barrier Treaty does not touch us. We deal with a land which takes in both Bruges and Boulogne. In Lambert's day the state of things in regard to language in the county of Guines had come to be very much what they still are in those parts of the county of Flanders which form part of independent Belgium. Nether-Dutch, Flemish, a tongue next door to English, was still the tongue of the people; but French—*lingua Romana*—had become the high-polite speech, the fashionable speech of courtly society and of such literature as was not Latin.

In truth the state of things with regard to language was much the same at Guines and Ardres as it was on the island coast which came so near to them. Only there was this difference. We lived in an island, and all our insular tendencies helped to make things get more and more English. The men of this end of Flanders lived in a land which joined hard to the true French-speaking countries. Every tendency therefore helped to make things get more and more French. Still we feel that we are dealing with a land which is kindred with our own; and the facts of our story show us how close a connexion with England was always

* The more than generally Low-Dutch, the specially English character of the local names in this district, as pointed out by Mr. Isaac Taylor in his 'Words and Places,' comes forcibly home to us in every list of names in any charter. Take for instance the charter in p. 785 of the *Spicilegium*. Besides others which are just as Teutonic if we look a little deeper, we are struck at once with such a set of names as *Bissingahem*, *Altinges*, *Morlingahem*, *Turnehem*, *Banelingahem*, *Ostingahem*, *Alleburch* [Aldeburch ?], *Helbetingehem*, *Tertingahem*, *Odingahem*, *Malceberge*, till we come to the more distinctive names of *Ellingatum*, and *Wadingatum*. It needs only the smallest change in spelling to give all these names their near English cognates.

In a charter in the chronicle of Andres (p. 800) there is a mention of 'parochia Sancti Martini de Teutonicis dicta Retseke.'

kept up. We may go back to the very foundation-legend of the town of Ardres. Some said that the place took its name from the native speech of the land. It was called 'denominative a pastura, ut aiunt incolæ, in vulgali dicebatur *Arda*.' 'Eamus, eamus,' they said, 'et conveniamus in pasturam, hoc est in *Ardam*.' But the name was improved into *Ardea*, because certain merchants from Italy—perhaps, it is hinted, from the other Ardea, the city of Turnus—passing on their way to England, saw there an heron, *ardea*, flying towards the marsh.

Our author, like most other authors of his class, gives us a certain amount of legendary matter at the beginning of his story. It is wonderful, both in his day and ours, to see how busily the work of myth-making goes on in times when there is no lack of contemporary records side by side with the legends. The great example of all is of course the process which turned the historic *Karolus Magnus* into the mythical *Charlemagne*; but we have efforts of the same kind on a smaller scale in the legendary histories of the Counts of Anjou and the Counts of Flanders, and now of the vassals of the last-named potentates, the Counts of Guines and Lords of Ardres. And, after all, the stories of Tertullus and Torquatius and Lyderic the Forester, nay, the Carolingian legends themselves, do not wander any further from the path of true history than much that is piously believed among ourselves by the students of the Peerage or the book of Landed Gentry. Our legend of Guines goes back to the days of that Count of Flanders who has so bad a reputation in Normandy by the name of Arnulf the Old, but who is here spoken of very respectfully by the title of the Great, while his name, like that of so many other people, is here written Arnold. And as he is the son of one Baldwin and the grandson of another, and father and forefather of several Arnulfs or Arnolds and of Baldwins without number, we are plunged from the beginning in the characteristic nomenclature of the story. But the founder of the house of Guines was neither a

Baldwin nor an Arnold. He appears in Latin as 'Sifridus,' a name which we hope our High-Dutch friends will allow us to express, in the tongue common to Guines and England, as *Sigefrith* rather than as *Siegfried*. He was sprung of the blood of the ancient Counts of Guines, of Terouenne, and of Saint-Paul; but personally he was a Dane, a kinsman and follower of the Danish king, seemingly that Harold Blaatand who plays so great a part in some versions of the story of Normandy. As to his religious persuasion our Lambert is discreetly silent; but his sojourn in Denmark suggests the question whether he had not fallen away to the faith of Odin, as a later actor in our tale will be found to fall away to the faith of Mahomet. In the year 928 Sigefrith comes from Denmark to Flanders. He finds Guines, the inheritance of his fathers, in the hands of the great Count Arnold. Nevertheless he takes possession, and, as the town of Guines is unwalled and undefended, he takes measures for its defence. As the Lady of the Mercians had done a few years before, he raised a mighty mound—'*dunio*,' 'firmissimus munitionis agger'—and girt it about with a twofold ditch. These words bring home to us that *dunio*, *donjon*, meant, first of all, the mound, the *mota*, the artificial *dune* or *down*, so characteristic of the earlier stage of fortification. The Edwardian castle, the Norman square keep, were not yet. The *dunio*, as we shall presently see, was primarily meant to carry only wooden buildings; at the outside it would never carry more than the shell-keep of Cardiff or Lincoln, not the mighty square mass of London and Rochester. Count Arnold was naturally not well pleased at the rearing of so strong a pile within his dominions, but without his leave. But Sigefrith, putting his trust in God—he had therefore by this time got rid of any stains of heathendom which he had brought with him from Denmark—goes forth and wins the Count's favour by boldly trusting himself alone in his hands. The same favour he keeps after Arnold's death at the hands of his son Baldwin, a state of things

which, as our editor, Dr. Heller, cruelly points out, is inconsistent with chronology, seeing that Baldwin died before his father.

Before we have done with the founder of the line, we come across one feature which is very characteristic of our whole story, of the actors, and of the narrator. Lambert is fond of dwelling on the love adventures, lawful and unlawful, of his heroes, with a greater amount of interest and of graphic detail than we might have looked for from so reverend a personage as the canon of the church of Ardres. But nothing is plainer than that a good many of his clerical actors—himself seemingly for one—were lawfully married. When Peter of Blois, an elder contemporary of our Lambert, escaped the fires of Ætna to become Dean of Wolverhampton, his complaint was that his canons would go on marrying one another's daughters.* The state of things at Guines and Ardres seem rather to have been that the daughters of the canons, born, sometimes at least, of wives of noble birth,† were married to their cousins, the natural sons of the lay lords. Of these last there was a never-failing supply. Were the morals of these lords really laxer than those of other people, or is it merely that, their story being told in such detail, we know more about them? At all events the series begins early. Sigefrith seduces the sister of Count Baldwin, whose name is as given *Elstrudis*, a form which we must ask leave to correct into *Elftrudis*. For the name is none other than that of our

* See his pitiful complaint to Pope Innocent, Ep. 152 (vol. ii. p. 87. Ed. Giles). The canons of Wolverhampton were as bad as Welshmen or Scots—one might have expected Peter to add Sicilians.

† In the pedigree which Lambert gives in c. 134 we read of 'Generosæ nobilitatis juvencula, Roberti canonici et nobilis uxoris suæ Adelidis filiæ, nomine Natalia.' And the children of the other canons, even without such a distinct statement as this, are spoken of just as if their parents were married. Among them we find the daughter of a personal friend, 'Christiana, magistri Lamberti Ardensis ecclesiæ quandoque presbyteri filia,' who married a grandson of Lord Arnold the younger.

English Ælfthryth, daughter of Ælfred, mother of Arnold of Flanders, and therefore, if the legend have any truth in it, grandmother of the Ælfthryth in question. Sigefrith flees from the expected wrath of the offended brother, and dies, so we are told, of love—'aliquamdiu morbo languens occulto et intemperato ejus quem reliquerat amore, alterum Andream exhibens Parisiensem, miserabili morte defunctus est.'* Arnold, the nephew of Ælfthryth, was less strict; he took care of his erring aunt and of her child, whom he held at the font, and who, by the name of Ardulf, became the forefather of the Counts of Guines. He married a daughter of the house of Boulogne, and was the father of Ralph or Rudolf, who married a daughter of the house of Saint-Paul. The genealogy, true or false, is clearly meant to bring together the blood of all the great lords of this corner of Gaul in the persons of the actors of our story.

We suffer just now under a great lack of chronology, and some parts of our tale are so clearly fabulous that the German editor brands them with a smaller type in his text. But it is only by the editor's references to documents that we get any dates at all; and these are few and far between. We must now be getting into the eleventh century. Ralph's maternal grandfather was alive in 972; he himself died in the reign of Count Baldwin the Bearded, who died in 1036. Ralph has a bad name as a ruler; he oppressed his people and wrung their substance from them to give it to his immediate following or 'commilitones.' A question of some curiosity now arises. Ralph was specially fond of going into France to show his skill in the tourney. He must have been one of the earliest votaries of that dangerous sport; for Geoffrey of Preuilly, who has the credit of being its inventor, died in or about the year 1066.† And it is to

* Dr. Heller explains this somewhat dark allusion by a reference to the *Amatoria* of Andrew of Paris, written in 1170.

† The death of Geoffrey, the betrayer of Count Geoffrey the Bearded of Anjou, is recorded in two of the Angevin chronicles. See Chroniques des Églises d'Anjou, 138, 169.

be noticed that Lambert speaks of the tournament—'gladiatura vel torniamentum,'—with exactly the same horror which our own writers of the twelfth century show towards it. The wicked count goes into France 'ad execrabiles nundinas quas *torniamenta* vocant.' And the tourney which he describes seems to have been somewhat different from the tourney which we are most used to read of. Ralph found a just judgement—so Lambert thinks—in a singular kind of death. On his way, before he had left his own dominions, he met a company of shepherds; he disguised himself and his speech, and asked for news of the Count of Guines. He heard more than he liked. The flayer, torturer, flogger of his people, who could not overthrow the proud and who would not spare the humble, was going to France to show himself off as the peer of Hercules, Hector, or Achilles. May he, so the shepherd prayed, get thrown into the Seine or the Loire; may his eyes be shot out with an arrow or his bowels pierced with a lance. All three curses hit their mark. In the first shock a deadly wound pierced Count Ralph in the middle, 'in umbilico.' We ask, as laymen in such a matter, does not this show either very unfair or very clumsy fighting on the other side? What follows is less easy to understand. Ralph, half-dead, was carried off by the archers; a shot from the archers of the other side put out his right eye; he was then seized, stripped, beaten, and thrown into the Seine by the hostile archers. This does not sound at all like a well-regulated tournament; but we can only tell the tale as we find it.

Count Ralph, when he was once lodged in the Seine, was no more heard of. His evil deeds must have been quite made up for by the virtues of his two successors. Eustace the son of Ralph was a man of peace, like Fulk the Good of Anjou, like King Robert of France, like King Edward of England. But he was neither misled by favourites like Edward, nor tormented by his wife like Robert. He was so good and just and gentle that there was really nothing to tell about the county of Guines in his day. Lambert is

therefore driven to tell stories of wicked doings in other places, which his editor puts in small type. Eustace's wife Susanna gave him three sons and two daughters, all of whom learned letters, while the sons learned warfare as well. The panegyrist enlarges on the strict fitness of the name borne by this perfect prince. 'Hic siquidem Eustacius tam benignus, tam patiens et benevolus, dictus est inter suos exhibuisse, quod quodam futuri præsagio hoc nomen Eustacius ei inditum esse credebatur, eo quod semper et ubique *stare* diceretur in *bono*.' *

From the Greek name, so much more worthily borne by the Count of Guines than by the more famous Count of Boulogne, we come back to a natural Teutonic Baldwin, and then take a Semitic plunge in the next generation. Baldwin of Guines was as righteous as his father, but seemingly more active; at least there is more to tell about him. Moreover we know his date; he was Count as early as 1065, and he lived at least till 1100. He took nothing but his due from any man, high or low; he was a scholar and a student of scripture; moreover he was a valiant knight in arms. But the only hint that we get as to his warlike exploits is when the somewhat ambiguous words of our author seem to imply that he withstood, perhaps in arms, the demands of Countess Richildis of Flanders, her whom William Fitz-Osbern, Lord of Breteuil and Earl of Hereford, went over the sea to marry. She wanted to levy an unheard-of tax of fourpence on every door, bed, and cushion, in the county of Guines as well as in the rest of Flanders.† But all this was set straight by the victory of Count Robert the Frisian, and Baldwin had time to rule his

* This would seem to be the true derivation of the Greek name Εὐστάθιος, though the more usual Latin spelling has suggested a connexion with στάχυς.

† 'Inconsueta et inaudita et indebita a Flandrensibus presumeret exigere tributa. A quolibet enim ostio et lecto nichilominus sive culcitra quatuor denarios per universas Flandriæ partes turpiter et proterve et irreverenter exigebat.' Our English writers tell us something of her oppressions.

people justly, to make the pilgrimage to Compostella, and to found the abbey of Andres. Let no one confound *Andres* and its abbey with *Ardres* and its church of canons, even though monks were for the while intruded into the latter. Andres and Ardres, though not far apart, are two distinct places, and Andres has its chronicle as well as Ardres, the work of its Abbot William in the thirteenth century, rich in valuable facts and specially precious documents, but not so cheery to read as the tale of Lambert of Ardres.* But here Dr. Heller again takes our Lambert to task in the matter of chronology. How, he asks, could Count Baldwin, in 1084, when the abbey was founded, be a special friend of the good Count Charles of Flanders—'Flandrensis comitis Karoli cognatus et fidelis amicus et Flandrensium karissimus'—when the future saint was only born in or about 1084? And he adds, yet more certainly, that in 1084 the great Hildebrand was reigning, so that it is strange to date by a smaller Pope. But we are yet more troubled with the formula of the date than with the date itself. The Ghibelin mind cannot read with any comfort that anything was done 'venerabili Calixto . . . mundi monarchiam sub apostolorum Petri et Pauli protectione gubernante, Philippo autem Francorum regnum procurante, comite Roberto Flandrensibus imperante.' Let Philip—'Latinæ Franciæ rector'—be put down as low as anybody chooses, though 'procurare' is just what Philip did not do to anything. But when Count Robert is raised to Imperial power and a Bishop of Rome is clothed with the monarchy of the world, we can only mourn that neither Dante nor Matthew Paris was yet born to protest.

The reign of Count Baldwin has brought us to the foundation of the monastic church of Andres; it brings us also to the foundation of the secular church of Ardres. In so doing it brings us to the mention of Arnold, Lord of Ardres. It

* This chronicle, 'Chronicon Andrensis Monasterii,' is printed in the second volume of D'Achery's 'Spicilegium.' It reaches from 1082 to 1284.

can be hardly needful to remind any one that this Count Baldwin, who died about 1100, is not the Count Baldwin who ordered the bells to be rung in 1194. Nor is this Arnold either the Arnold who figures in that story, nor yet the Arnold of Ardres who was so loving a friend to Count Arnold. Our present Arnold—'a primis inter primos Ghisnensium procerum heroes heros primus, Ardensis oppidi primus hæres et dominus Arnoldus'—is the father of the Arnold who appears in Domesday. He was in truth the father of most things at Ardres, the founder alike of castle, church, and municipality. At Ardres however it was a grandmother, rather than a father, to whom things were carried back. The local history or legend starts from a certain Adela, who is described as a niece of Frameric Bishop of Terouenne, who held that see from 975 to 1004, and as a cousin of the good Count Eustace. We might be tempted to think that even Eustace had his failings, for he is here—in the story put into the mouth of Walter of Ecluse—described as wrongfully calling on his kinswoman to enter into a marriage which she did not wish for, but which in some way suited his own purposes. This indeed, in the case of feudal holdings, was a right of the lord which even the best lords did not scruple to enforce; but the possessions of Adela of Selnessa were not feudal holdings, but a primitive *allod*—perhaps they even called it an *edel*. It is therefore some comfort when Dr. Heller again comes to the rescue with his dates, and shows that it could not have been the good Eustace, but must have been his wicked father Ralph, who misbehaved in this fashion. For Bishop Frameric was living at the time, and Eustace was not count till about 1030.

Adela now went through a process which many owners of *allods* went through in those days. As her lands were held of no man, she had no lord, therefore no protector, on earth. It most likely came into no man's head that the King of the West-Franks, if not always the feudal lord, was still the nominal sovereign, of all people within the bounds of

Karolingia. Anyhow Adela gave up somewhat of dignity to win somewhat of security. She commended herself and her lands to her uncle the bishop and his successors, and received them back again on a feudal tenure. She was now the *man** of the church of Terouenne, and its bishop was her lord. She owed service to her lord, and her lord owed protection to her. Her lord and uncle therefore found her a husband, who might defend her against any unjust claims of the Count of Guines. This husband was a mighty man among the nobles of Flanders, Herbert by name, but locally cut short into Herred. He bore the surname of *Crangroc*, or the man with his shirt inside out. For, so says one story, when he was young, his father woke him before daylight to go a-hunting; suddenly aroused, he jumped up and put on his shirt the wrong way. But others whispered that the name came because, as the husband of Adela and a careful steward of her goods, he showed himself on holidays with a turned shirt, to save, as one is tempted to think, the cost of washing. Anyhow, in the judgement of our author, his only fitting surname would have been not Crangroc, but Hercules. Herbert, Herred, or Hercules, died, leaving Adela with two daughters. She did not long remain a widow. By the advice of her lord the Bishop—her uncle or his successor—she married Elbodo of Bergues. He was the father of the first Arnold of Ardres; he also made a fishpond and a mill, and after his wife's death he defended the rights of his son against some other claimants of Adela's heritage.

Our Lambert is curious in all matters of nomenclature, and when he stops to tell a story to explain why Adela was buried at Ardres and not at her own Selnessa, he gives us incidentally a bit of etymology. Selnessa, to be sure, he does not explain; and Dr. Heller, most careful in the geography of the district, seems not to know where the place is, or rather was. May we guess that it was on the

* The expression, as applied to a woman, is justified by Domesday, where we hear of 'Eddeva puella, *homo* Stigandi archiepiscopi.'

coast, that its name is akin to our own *Selby*, and means the *ness*, *naze*, or *nose* of seals? Anyhow, in telling of the ruin of the ancient church of Selnessa, which became a dwelling-place of toads, lizards, and snakes, neighbours which wore out the patience of the most devout anchorites, he gives at least a legendary explanation of a very puzzling name. Why should any Christian man call his son *Paganus*? Yet many did so, and the name lives on in the shape of the surname *Payne*. We here read how a holy hermit named Abraham lived for a while among the ruins till the toads drove him away, and how the Lord of Norhout had a son who had somehow remained unbaptized till the age of ten years, and whom his neighbours therefore called *Paganus*, the heathen. Abraham baptized him by his own name; but the heathen nickname stuck to him, and seemingly passed on to others.* This is according to all rule. No one calls Rolf, Rou, or Rollo, by his baptismal name of Robert; no one speaks of Sven with the Forked Beard as Otto; still less would Cnut, Emperor of six kingdoms, be known to any one by that baptismal name of Lambert which he shares with the writer of our story. To this last we feel thankful; we are thankful for the picture of the pious Abraham and afterwards of two devout nuns, all yielding to the invasion of toads and snakes; but we are still more thankful to know what men thought, truly or falsely, to have been the origin of a name which has often puzzled us.

Arnold, by the way, as Lambert himself once or twice shows, and as appears more fully from the documents in the Andres history, was known also as Arnulf or Ernulf, like the Great or Old Count of Flanders. The English form of the name would be *Earnwulf*. Did Lambert deem

* In chapter 133 of our history we find two Pagans, one distinguished as 'Paganus de Norhout,' who must be a descendant of our Abraham. In the Andres history, p. 795, we have 'Gozo cognomine Paganus,' and in page 801 'Elembertus cognomine Paganus.' In Domesday we have 'Eadmundus filius Pagani,' a Pagan who must have come to England in the days of the Confessor.

the wolfish ending unworthy of the *erne*, the *eagle*, with which the name begins? It might have been hazardous to carry on the allusion; the *erne* might seem to be a dangerous lord for a town which legend said was called from a *heron*. Arnold did for Ardres everything that could be done. Selnessa was destroyed, and Ardres was built or enlarged out of its materials. Specially did he raise for himself in the midst of a marsh a mighty mound, *mote*, or *dunio*, making use of a natural hill, and raising it by artificial means. It was defended by a wall—perhaps also of earth*—and a ditch, and provided with a mill within its precinct. Legend told how a tame bear worked diligently in raising the mound, and how the mound contained a hidden stone of a price beyond gold. Then Arnold made Ardres a free town; he founded twelve peers or barons of his castle and town †—Charlemagne and his paladins were in the head either of Arnold or of Lambert—he defended the town with a ditch; he founded municipal magistrates—'scabini'—and gave the burghers municipal rights, according to the model of Saint-Omer. So our own grants of municipal rights constantly refer to the usages of some older borough as their pattern. Lastly, he gave them a market on Thursdays. Ardres thus became a Market-*Jeudi*. But, unlike its Cornish fellow, it escaped being cut short into Market-*Jew*, or being looked upon as the special abode of the 'bitterness of Zion.'

Arnold thus provided for the military defence and the municipal freedom of his town of Ardres. His grant of franchises to the burghers is expressly said to have been made by the leave of Count Baldwin of Guines. This is a point to be noticed, as the obligation of homage in that quarter was a disputed point. But the founder of castle and borough could hardly fail to become an ecclesiastical

* C. 109: 'Exterioris vero spatium *valli*, incluso interius molendino, fossato cinxit firmissimo.'

† C. 111: 'Duodecim pares vel barones castro Ardeæ appenditios instituit.'

founder also. His schemes on this head needed the consent of the Bishop of Terouenne and his chapter; the latter body were specially won over by Arnold's founding certain new prebends in their own church. Up to this time Ardres had had only a small church with its parson—'personator sive persona'—Walter by name. Arnold now raised this church to collegiate rank by the foundation of a body of canons, over whom however the Lord of Ardres kept in his own hands a considerable measure of authority as patron and something more, as a kind of lay provost.* He enlarged the choir of the old church,† for the better reception of the new society. They were a body of ten, each with his prebend, and at their head was placed Parson Walter with the title of Dean. The disposal of another prebend is characteristic of most of our actors, the good Count Eustace and a few others excepted. Arnold was twice married; his first wife Matilda of Marquise, mother of many children, at last died in childbirth; his second wife, Clementia, widow of Hugh Count of Saint-Paul, gave him a temporary lordship in that county. But long before his marriages, Arnold had an illegitimate brood by two different mothers, one of whom, Ralph, was already a canon of Saint-Omer, and now became a canon of Ardres. He was seemingly married, and his posterity, legitimate or illegitimate, fill a large place in the genealogy common to church and castle. This first foundation bears date in 1069, and we are comforted to find

* In c. 137 the Abbot Theodoric of Cappel appears much shocked by the degree of authority which the lay lord kept in the church of Ardres. 'Exhortando insinuavit, quod, cum homo omnino laicus esset et litteras ignoraret, ecclesiastica amministrare beneficia, prebendas dispensare clericis vel altaria, preposituram aliamve dignitatem in sancta obtinere vel bajulare ecclesia, contradicentibus et super hoc anathematizantibus autenticis scriptis et sanctorum patrum decretis, ei nullatenus liceret.'

† This would seem to be the meaning of the words in c. 115: 'Ecclesiola cujus parietes vetustissimi novo nunc continuantur et coaptantur operi vel capiti.'

that the date is expressed in a more decent style than the later date which we quoted before. It was done 'Francorum rege regnante Philippo, Roberto Frisone Richilde triumphata Flandriam procurante, Balduino comite Ghisnensi principante, ipso Arnoldo sive Arnulfo advocato Teruannici comitatus præside et Ardensibus dominante, Drogone Morinensis ecclesiæ baculum bajulante.' Later in life, Arnold built a larger church, seemingly as his own *sainte chapelle*, and moved his canons thither. The older church was again cut down to a single priest, as it had been before Parson Walter became a dean. In the rules of his new foundation Arnold provided that any canon who failed to reside should not receive more than a hundred shillings—not so small an allowance in those days—from his prebend. Anything more was to go to his vicar; nor was he even to have the choice of his own vicar, who was to be appointed by the dean with the counsel of those canons who did reside.

The description of Arnold in the date just quoted may need some explanation. His style as 'Teruannici comitatus præses' refers to his temporary holding of the county of Saint-Paul, also known as that of Terouenne, during the time of his second wife. But 'advocate' was his special title, as 'villicus,' 'præpositus,' or 'advocatus'—each description rising in dignity—of the abbey of Saint Bertin at Saint-Omer for all its lands within the county of Guines. To this *quasi*-ecclesiastical dignity he afterwards added a further temporal rank. He did with his castle and lands at Ardres much as his mother Adela had done with her lands at Selnessa. He sought a lord; only it was this time a temporal and not a spiritual lord that he sought. The Counts of Guines claimed homage for the castle of Ardres; and, as we have seen, Arnold had in some sort acknowledged Baldwin of Guines as his lord. But Arnold now maintained that Ardres was his own *allod*, for which he might either remain lordless, or commend himself to what lord he would. As the counts of Guines had done

when the question was raised between Flanders and Boulogne, so now the lord of Ardres sought the more distant lord rather than the nearer. He commended himself and his castle to the Count of Flanders, Robert of Jerusalem, son of Robert the Frisian. As he had himself set up twelve peers in his own castle of Ardres, so he was now himself admitted into the loftier ranks of the twelve peers of Flanders, as his new lord was himself reckoned among the still higher twelve peers of France.*

It is with this first Arnold that the connexion between Ardres and England begins. That he visited England, as our author tells us, we may well believe. He lived in the days when everybody on his side of the channel found out that he was the friend, and commonly the kinsman, of the reigning King of the English, and went across to Winchester or Westminster to pick up what he could. But Arnold had special advantages in this way. His skill in the tourney, an exercise which he greatly loved, had recommended him to the special notice of his neighbour Eustace Count of Boulogne, the brother-in-law of King Edward, a name too well known in English history. Lambert's way of naming Eustace is curious. He is described, so to speak, not as himself, but as the father of his two more illustrious sons. He comes in as 'Boloniensium comes Eustacius, nobilissimæ prolis Eustacii, videlicet Gaudefridi et Balduini, auctor et pater.' Arnold became second under the Count in his county of Boulogne, and is described as 'senescallus,' 'justiciarius,' and 'ballivus.' In his patron's service he became famous and acceptable everywhere, alike with princes and with their subjects, but specially at the courts of France and England. Now we are told that it was mainly to show himself in tournaments that he thus went about into all parts. Lambert does not distinctly say that he showed himself in that character in England; but his language makes us at least ask the question, Could

* [All this about twelve peers anywhere sounds a little mythical in the eleventh century.]

there have been such a thing as a tournament in England *tempore Regis Edwardi*? We hear nothing of such doings in England till the twelfth century. Then both the great Henries forbade them. But they were practised meanwhile in the days of Stephen, when it was all one what was allowed and what was forbidden. They were practised afterwards in the days of Richard Lion-Heart, who liked that kind of show. Under his wiser father, those inhabitants of England who wished to risk their lives for nothing had to go over to France for that end, much as one has heard of men in later times taking the same journey in order to fight duels. One is therefore inclined to doubt whether Arnold could have found any tournaments whereat to display himself in England. Yet it may be that the Confessor's foreign favourites set them up as the last French fashion, and that the good sense of Harold or of William put an end to them. But tournaments or no tournaments, there is no need to doubt the presence of the first Arnold of Ardres in England, and in the next generation the tie became closer.

The second Arnold was known, like the Count of Flanders a century earlier, as the Old—'Senex sive Vetulus.' And he certainly deserved the name, if he lived, as is said, till some time later than 1137. That he was living in 1117 is shown by documents, and that is a fair allowance for one who was already flourishing in 1066. He had, according to the story, his share in the great work of that year. Through the favour of Count Eustace, Arnold was admitted among the companions of the Conqueror, who further sent for Arnold's brother Geoffrey. The two served William long, and were, we are told, bountifully rewarded with a daily pay and with grants of land. But of the English possessions reckoned up by our author, two only—one of them the well-known Trumpington near Cambridge—can be identified in Domesday as held by Arnold, and those were held, not by immediate grant of King William, but under Arnold's patron Count Eustace. The local writer

seems to have mixed up the possessions of Arnold with those of a less famous adventurer from the same region, Adelolf—our Æthelwulf—of Merck.* At all events, the establishment of Arnold as a landowner in eastern England is beyond doubt. And we are told that, according to the use of Guines and Ardres, he became, during his sojourn in England, the father of three sons by three different mothers. One of these, Anselm by name, had a strange destiny. He went to the crusade, and, being taken captive by the Saracens, he embraced Islam. He escaped, came home again, and abode a while with his kinsfolk at Ardres; but as they abhorred his apostasy, he went away again, and was heard of no more.† Another natural son of Arnold, born in his own land, bore the name of Philip, a name but lately brought into Western Europe by the Russian mother of the reigning King of the French. Philip did not turn Mussulman; but, from the point of view of his legitimate kinsfolk, he turned robber. Refused any share in the heritage of his house, he gathered a band and laid waste the country. It is clear that the safest way of providing for the irregular shoots of the house of Ardres was to enrol them among the canons of the lord's chapel.

By the death of Arnold the First the possession of Ardres passed to this second Arnold, Arnold the Old. Marquise, the heritage of his mother, he gave up to his brother Geoffrey, and received instead, so the story says, Geoffrey's

* Lambert gives the list of Arnold's possessions in England as 'Stevintonia,' 'Dokeswordia,' 'Tropintonia,' 'Leilefordia,' 'Toleshondia,' 'Hoilandia.' Of these only 'Dokeswordia' and 'Tropintonia'—the latter the well-known Trumpington—appear in Domesday as held by Arnold—'Hernulfus,' 'Ernulfus de Arda.' The others are held by Adelolf of Merc. But Arnold has other lands in Bedfordshire. All that he had was held of Count Eustace.

† The story is not very clear: 'Cum Christianis manens parentibus omni die nisi excepta sexta feria carnibus utebatur, nec se dissimulabat quandoque apostatatum et in Sarracenismas [sic] olim prolapsum immundicias. Unde et Christicolis parentibus odiosus ab Ardea in transmarinas secedens iterum partes, ulterius suis non comparuit.'

share in the English estates, though it must be remembered that Domesday knows only Arnold and not Geoffrey. Arnold, going to a tournament in Flanders, won by his exploits the favour of Baldwin, lord of Alost, and the hand of his sister Gertrude. This Baldwin is distinguished from the endless other bearers of his name as the Big—'Grossus sive Magnus.' And, what is stranger, his nickname passed on to his wife also. She was 'Mathildis, a viri sui grossitudine vel magnitudine simili appellatione Grossa vel Magna nominata.' This is really a fact of some importance in the history of nomenclature. The sign that we have reached the stage of hereditary surnames is when the son bears an epithet which had a meaning as applied to his father, but which has no meaning as applied to himself. When it is possible that John Long may be a short man, called Long merely because he was the son of a tall father, the surname has become strictly hereditary. Here we have the same process applied, not to the son, but to the wife. The Lady of Alost is called 'Mathildis Grossa sive Magna,' not on account of her own size, but on account of the size of her husband. We have, by a sudden leap, come very near to such a modern description as Sir Baldwin and Lady Bigge.

Of the size of Baldwin's sister Gertrude we hear nothing, though we do hear something of her beauty. When Arnold brought his bride home to Ardres, a strange thing happened at the marriage feast. A buffoon engaged, if Arnold would give him a horse, to empty at a draught the largest barrel in the lord's cellar. The exploit was done under some strange conditions; but when the performer came, with the bung in his mouth as a sign of success, to claim his horse, the attendants of Arnold, who knew their lord's meaning, set him on the *equuleus*, the wooden horse of torment. Gertrude became the mother of several sons and daughters, among them of Arnold the Young, his father's successor, and of another son who bears the Hebrew-sounding name of Manasses. Nor was he by any means its only bearer in those days. The name was borne, among others, by a

better known person, the reigning Count of Guines. This takes us back to his father, the good Count Baldwin. Here Lambert makes the singular remark that in those days, and in his own too, most people had two names.* He tells us that Adela, the wife of Count Baldwin, was on account of her excellent virtues also called Christiana—'suppressa appellatione propria, certiore vocabulo Christiana nuncupata.' He speaks of her son as 'Robertus, qui, ut tunc temporis erat consuetudo et adhuc plerumque tenetur, binomius erat, sed suppressa vocationis proprietate, invalescente usus assuetudine, dictus est Manasses.'† The more prosaic chronicle of the abbey of Andres seems rather to imply that Manasses was his original name. He there appears as 'Manasses, qui et Robertus, a Roberto Frandriæ comite sic vocatus.' Whichever was his baptismal name, Manasses was that by which he was commonly known.

Manasses of Guines and Manasses of Ardres did not always agree. For the latter must have been in the ranks when Arnold the Old led out all his sons, the children of so many mothers, all of them already knights, to fight against Count Manasses in the old dispute about the homage of Ardres. This quarrel led to a further strengthening of the town of Ardres with a new ditch and palisade, with towers and warlike engines. But the mind of Arnold was given to beautifying his town as well as to strengthening it. He planted trees along the sides of the fosse, and he took in within his line of defence a wood for the advantage of his

* The use of the double name at this time is a very curious subject. Orderic often gives two names to people who elsewhere bear only one. But it is not clear whether two names were ever actually given in baptism. Later on in our own story (c. 153) we come to 'Therasia apud suos Portugalos, apud nos Mathildis cognomento regina dicta.' Here the name was clearly changed to suit Flemish tastes, just as Emma became Ælfgifu to please the English, and Edith became Matilda to please the Normans.

† [So the son of Robert Wiscard who was christened Mark is known to all the world as Bohemund, from a mere caprice of his father, who was pleased with a story about a grant so named.]

people—'communi populi sui asiamento'—some common right in a piece of folkland is most likely implied. And, when peace was made with Count Manasses, he built for himself, on the mound reared by his father, a stately palace of wood, the work of a carpenter—'artifex vel carpentarius'—of skill well-nigh like to that of Dædalus, Lewis by name. The house was of three stages. It had granaries below, cellars, chambers, full of all household goods. On the second stage was the great chamber of the lord and lady, and other chambers for their various attendants. Here too was the kitchen, joining this storey of the house, but itself built in two stages, so that we may suppose that the lower stage was on the ground-floor. Here pigs, geese, capons, and other fowls, were kept and fattened. In the upper stage dwelled the cooks who, when the time came, dressed them with the utmost skill. In the highest stage of all were rooms for the sons and daughters of the lord, as well as for the guards of the palace. Adjoining the house was a 'logium' for pleasant talk, whence, we are told, its name, derived from *logos*. Attached also to the house and the 'logium' was a chapel, whose goodly ceiling and paintings rivalled Solomon's temple. We need hardly say that every detail of this description of a lordly wooden house of the twelfth century is worthy of the heed of all students of domestic architecture.

And now the Lord of Ardres, having, like Solomon, built him an house, went over to England on a visit to the king—seemingly Henry the First—his lord for his possessions in our island. Here he seems to have been charmed with what was already a national sport. To bait the bull and the bear was, as William Fitz-Stephen bears witness, a pastime of the citizens of London, and in earlier times the borough of Norwich had paid to the Confessor a yearly tribute of a bear and six dogs. So now Arnold brought back from England a bear of huge size, which, as Lambert almost needlessly explains, was not the same bear which had worked so faithfully in making the mound of Ardres. The

present bear was baited almost to death, to the great delight of the people of Ardres: 'Quo adducto et coram populo demonstrato et canibus allatrato et fere usque ad internitionem discerpto et depilato, mirati sunt universi et in spectaculo læti facti et jocundi.' Lambert, speaking through his imaginary mouthpiece Walter, has no pity for the bear; but he strongly condemns the trick which Arnold and his bearward combined by means of the bear to play off upon the people of Ardres. The bearward, at his master's suggestion, refused to bait the bear, even on high days and holidays, unless the people who liked the show would find bread for the bear's keep. And so the people—not the vavassors and clergy, we are told, but the foolish people—agreed to pay one loaf from every baking in every oven in Ardres to feed the great bear from England. And so this tax—'ursiacus ille panis,' 'ursiaci exactio furnagii,' 'panis doloris'—became an established burthen, and, to the great lamentation of Lambert, went on being paid, even though the bear—or his successor—was no longer baited.

The next chapter, headed 'De severitate Ghertrudis,' tells how, while the lord thus fleeced his people by means of a bear, the lady was no less successful in the same work by means of a gentler beast. The fair Gertrude was, like William the Conqueror, fallen into covetousness and greediness she loved withal. Lambert will tell only one story; he will keep the others back; yet he goes on to tell several. It must not be forgotten that Gertrude was the grandmother of the supposed speaker Walter. The lady had a fancy for setting up a great flock of sheep; so she made everybody give her lambs, and she sent her *satraps*—so Lambert calls them—to collect the spoils or offerings far and wide. One poor woman, in answer to the demand for a lamb, said that she had neither sheep nor ox, but she had seven children; she would give one of them for the lady to rear. She was taken at her word; one of her children was taken, and, turning Nathan's parable round, was adopted by Gertrude instead of a lamb ('domina eum nutriri fecit et pro suo in

locum agni adoptari'). An ewe lamb it was, notwithstanding the masculine pronoun ('puellula—feminini enim sexus erat puer exactus'); but it was a dangerous fold into which she was brought when she came within the household of the Lady Gertrude. This was the time when in several parts of Europe the poorer freemen were fast passing into various forms of serfdom. It was now that in England, if the mere slave was rising, the free *churl* was sinking, to the intermediate estate of the *villain*. Many were the means, often the tricks, by which an ill-disposed lord contrived to bring his free tenants or subjects into personal bondage. Of such tricks Gertrude of Ardres seems to have been a thorough mistress. Lambert tells more than one tale of the kind.* But in this particular case we really cannot wonder that the girl was brought up as a slave, or at least as a serf, and was in time married to a man of the same low estate. At this Lambert greatly exclaims; yet surely a girl who was adopted instead of a lamb might think herself

> Very well off
> To be wooed and wedded at a',

even by a servile husband. She should rather have been thankful that the Lady Gertrude did not forestall Dean Swift's Modest Proposal, and that the adopted lamb was not roasted and eaten.

On the whole, the picture of Arnold and Gertrude is not that of two very amiable persons. Yet we are assured of Arnold's great piety, and he certainly showed one practical proof of it. Though he had his own chapel and chaplain in the castle, he attended, not only the daily, but the nightly services in the great church of Ardres. This was at least unlike those lords who insisted on having mass said in their hearing while they lay in bed. And, as patron and

* Besides the stories of Gertrude, there is in c. 36 a very curious account of the *Colvekerli* or *Club-carls*, who had to pay fourpence yearly to the lords of Ham, and fourpence more at every marriage and death. See Dr. Heller's note and his references.

provost of the church, he deemed it his business to rebuke any canon or vicar who was absent from his post. For his own chaplain, we are told, he brought vestments from England, one of the many witnesses to the position of England in those days as the land of gold-work and embroidery. In 1096 he joined the first crusade, and distinguished himself at the siege of Antioch. From the East he brought back many relics, among them one which sounds strange indeed, a hair from the beard of the Saviour. When he came back, he married off his daughters, and one of these marriages again connects our story with England. His daughter Adeline married Arnold, Viscount of Merck, son of Elembert. As men in those days had two names, can this Elembert be the same as Adelolf of Merck, whose Domesday lands have been confusedly assigned to Arnold of Ardres? Anyhow Elembert had brought from England a wife, Matilda by name, who proved to be a saint. Unluckily Adelolf was not her son, but the son of a second wife Adelaide. By the time of Adelolf's birth miracles were already working at the tomb of Matilda. But her bones were carried away by somebody, English or Scotch, a subject on which Lambert is purposely mysterious. 'Hujus sanctissimæ mulieris ossa utrum a parentibus suis, siquidem Anglicis, utrum Scoticis, ut aiunt quidam, abstracta et alibi fuerint collocata, melius est sub dubitatione quasi nescire, quam dubitando temere quasi pro certo diffinire.' This awakens our curiosity without gratifying it. Of what race was Matilda? Her name is one of those which might just as well have been in use in England before the Norman Conquest as not, but which, as a matter of fact, were not in use. We have Eadhild and Wulfhild: we have no *Mægðhild* or *Meahthild* in real life. Lambert speaks of her kinsfolk as 'Anglici,' but this is in no way inconsistent with their being Norman settlers in England. Only how come the Scots into the business? There is the puzzle. Whether Matilda was Norman or Old-English by descent, it is equally amazing either way if

she had Scottish kinsfolk in the days of the Conqueror. A Scottish descent on this corner of Flanders, to carry off the bones of the holy Matilda from Merck, is one of the oddest things anywhere recorded or hinted at. It is too strange not to be true.* If it had not happened, who could ever have thought of it? Anyhow it is yet another of the endless forms of intercourse between our island and the lands of which we are speaking.

Arnold the Old died soon after the year 1137, the year of the death of Gertrude. Her children wept for her; the people from whom she had taken so many lambs, natural and adoptive, followed her to the grave with dry eyes and lips held tight ('siccis oculis et labiis vix apertis'). Her son Manasses was dead in the Holy Land: Arnold and Baldwin succeeded in turn. Both of them had abundance of spurious offspring; but as neither had a lawful child, the lordship of Ardres soon passed away by female succession to the house of Merck, and afterwards to the house of Guines. Arnold the Young had a wife named Petronilla, whose tastes were peculiar. She was very devout, but she was also given to dancing and playing with dolls, while she won golden opinions from all kinds of people by swimming in the fishpond.† Her husband, a harsh ruler,

* To keep up the constant connexion with England, we find in the History of Andres, at the very beginning, how another Englishman attempted a like work of pious body-snatching. 'Quidam ejusdem loci ædituus, quem nostro more custodem vocamus, natione Anglicus, corpus gloriosæ Rotrudis furtim auferre disposuit, et ad natale solum transferre, pro eo quod miraculis crebro coruscantibus, de ejus meritis nullatenus valuit dubitare.' This is the saint to whose relics Lambert, in c. 30, gives a tender diminutive: 'reverentissimum sanctissimæ virginis corpusculum.'

† The picture given by Lambert, c. 134, is graphic: 'Uxor autem ejus Petronilla, juvencula quidem Deo placita, simplex erat et timens Deum et vel in ecclesia Deo sedulum exibebat officium, vel inter puellas puerilibus jocis et choreis et hiis similibus ludis et poppeis sæpius juvenilem applicabat animum. Plerumque etiam in æstate nimia nimium animi simplicitate et corporis levitate agitata, in vivarium, usque ad solam interulam sive camisiam rejectis vestibus,

was excommunicated by the Bishop of Terouenne, and was murdered by some of his own people. The excommunicate man could not be buried with Christian rites; but his successor Baldwin took a fearful vengeance for his murder. Some of the guilty or accused persons were simply hanged; but others were broken on the wheel, torn by horses, or shut up in their own houses and there burned. This last manner of death is worth notice. It is heard of in other cases. It was the way in which the heretical canons of Orleans were put to death more than a hundred years earlier, in the days of King Robert. And in the earliest pipe-roll of Henry the Second, not far from the beginning, we find the following item: 'Pro una domo ad comburendum unum latronem, xiii.s. et iiii.d.' The robber was shut up in the house and the house was burned, a mark being paid as compensation to the owner of the house. All this is of course a comment on the state of things when houses were mainly of wood, when they were burned to act as fire-signals, and when men who changed their dwelling-places sometimes carried off their houses on their backs. But this way of burning men seems also to have a deeper reference. Surely such a practice must at least have begun in a feeling of superstition. It is akin to many other ways of getting rid of a man, in which the slayer does not himself directly inflict death, but puts the victim in a position in which death must follow. It is like building him up with a little bread and a little water. No one slew the heretics at Orleans with his own hands, as men were slain by the sword or the halter. If they died in the flames of the burning house, they died by the visitation of God, not by the act of man.

non tam lavanda vel balneanda quam refrigeranda vel certe spacianda, per vias et meatus aquarum hic illic prona nando, nunc supina, nunc sub aquis occultata, nunc super aquas nive nitidior vel camisia sua nitidissima sicca ostentata, coram militibus nichilominus quam puellis se dimisit et descendit. In his igitur et hiis similibus benignitatis suæ modos exprimens et mores, tam viro quam militibus et populo se gratiosam exhibuit et merito amabilem.'

Baldwin made a great change in the ecclesiastical arrangements of Ardres. His brain was wounded by an arrow, in a border fight with Count Arnold of Guines. While his head was in this state, he allowed himself to be persuaded by the Abbot of Saint Mary of Cappel to give up to the abbey his provostship of the church of Ardres, and to allow its canons, as they died off, to be supplanted by monks. This was done in 1144. In 1190 the canons came back again. Two years after this ecclesiastical change Baldwin went to the Holy Wars. He fell sick at Attalia, and his body was thrown into the sea. Thirty years later a false Baldwin of Ardres appeared, as at a later time there appeared a false—some thought a true—Baldwin of Flanders.

The original line of the Lords of Ardres ends with this Baldwin. Perhaps the most attractive point of the whole story is that we are able to draw nearly at full length the portrait of the Arnold who has a place, however small, in our own history, of his parents and of his children. It is something to know how living an idea can be called up from other sources of a man whose name we might pass by without notice in the pages of Domesday. We cannot go at length through the whole line of the later Counts of Guines and Lords of Ardres. Their story is crowded with interesting and instructive details, and above all with constant marks of connexion with England. The Counts of Guines have lands in England. They marry wives in England. Their clerical sons hold benefices in England. Above all, Count Manasses formed a twofold marriage connexion with England. His own wife Emma, of the Norman house of Tancarville, was the widow of Odo of Folkestone. Through his only daughter Rose or Sibyl—she also had two names—he had a granddaughter Beatrice, who was given to a husband in England, of whom we wish to know more. He appears in Lambert as 'Alb*ertus* Aper,' in Abbot William as 'Alber*icus* Aper,' certainly the most likely name. But who was Aubrey the Boar? Dr. Heller

confesses that he has nothing to tell us about him. The name carries us to the beginnings of the house of Vere, to the eloquent pleader on behalf of King Stephen. The marriage was not lucky. Alberic and Beatrice were separated, seemingly on the strange ground of the sickliness of the wife. She found however another husband in Arnold of Ghent, afterwards Count of Guines. Of his son Count Baldwin—the Count Baldwin of Lambert's own day—we must attempt a slight portrait. He ruled at Guines from 1169 to 1206, after Lambert's story breaks off. Baldwin was a great builder, both of fortresses and of churches. Above all he built a round house of square stones on the mound of Guines, as Arnold of Ardres had built a house of wood on the mound of Ardres. At Alderwick (Audruick) he drained a marsh, and so increased the amount of fruitful land. For this exploit our euhemerizing chronicler likens him to Hercules with the Hydra. To Alderwick also he moved the market, which had formerly been held at Southkirk (Zudkerque) on Sundays. He changed the place; but—'juxta ecclesiastici et apostolici tenorem consilii'—he did not change the day. A Sunday market was not unheard of elsewhere; but the words of Lambert almost sound as if apostolic authority were claimed for the usage. Baldwin also ordained a fair at Pentecost, 'magis civiliter quam theologice solemnizari,' a description which may need a comment.

Whatever may have been the theological aspect of Count Baldwin's fair, it could hardly have gone astray through lack of theological knowledge in its founder. The Count could not read, but he was so diligent in having books read to him that he became a learned disputant, both on theology and on other subjects. The clergy read their books to him, and he in turn repeated to them what we take to be ballads or romances; 'quas a fabulatoribus accepit gentilium nenias vicario modo communicavit et impartivit.' But Lambert seems to think that he learned

too much; 'a clericis ultra quam necesse erat in multis edoctus, clericis in multis obviabat et contradicebat.' He gathered scholars around him who translated a crowd of books, sacred and profane, from Latin into French, 'de Latino in Romanum,' 'de Latino in sibi notam linguam Romanam,' 'de Latino in sibi notissimam Romanitatis linguam.' The name 'Romanitas' may be recommended to those who talk about 'the Latin race;' we are more inclined to mourn that the honest Nether-Dutch of the land was deemed unworthy of any literary encouragement. Count Baldwin is described as a just and strict ruler from the beginning; after a while he became better still. He was, like some others of these times, stirred up to reform by a sickness, and this sickness was brought about by grief for the death of his wife Christiana, who died in childbirth in 1177, while he was away in England. Otto the Great, in the like case, comforted himself by learning to read. One almost wonders that Baldwin, so fond of books, did not think of the same remedy. Yet, even after his reform, his enemies whispered that he still had his faults. When he arose early in the morning, he listened more gladly to the horn of the huntsman than to the bell of the church, to the bark of the greyhound than to the chant of the chaplain. Nor could the charge be gainsayed when his enemies affirmed that in his dealings with women he was as David or Solomon, or even as the heathen Jupiter. In this matter all agree that he did not reform after the death of the Countess, but rather grew worse. Then was born the priest Geoffrey, canon of Bruges and Terouenne, and holder of many livings in England. But we look with greater interest on the Teutonic diminutives, Bolderkin the Bastard and Willekin the Bastard. Lambert will not attempt to tell the number of Baldwin's irregular offspring: their father himself did not know all their names. But Abbot William undertakes to tell us that, when Baldwin, 'pater patriæ,' was carried to his grave, he was followed by thirty-three sons and daughters, 'quos de

comitissa genuerat et quos post mortem ejusdem comitissæ *aliunde acquisierat.*'*

It was while his Countess still lived that Baldwin entertained at Guines the banished Archbishop Thomas on his way to England—'de exilio in locum martyrii.' The Archbishop was an old friend, who had, when Chancellor, girded him with the belt of knighthood, and over whose safety he had watched on his first landing on the continent after his flight from Northampton. It was after Christiana's death that Baldwin received William Archbishop of Rheims, son of Count Theobold of Blois and Champagne and nephew of our King Stephen, on his way to the already hallowed tomb at Canterbury. We are used to pilgrimages in our own day; but it needs a little effort to take in the idea of kings, prelates, statesmen, going to worship at the shrine of one whom they had themselves known as a leading statesman and prelate only a few years before. It would seem that Archbishop William, while going on this holy errand, deemed special moderation becoming. Count Baldwin so overwhelmed him and his companions with the costliest spiced wines that they craved for a little water. They asked in vain; they got instead the richest wine of Auxerre. The Archbishop asked again for only a little cup of the pure drink. Count Baldwin answered by going forth and breaking every water-pot in his house. The Archbishop knew that he was only merry and hospitable, but the servants thought he was drunk. The prelate's heart was won by the Count's friendly zeal; he would do whatever Baldwin asked him. It does not seem that Baldwin asked for anything; but when the Archbishop went away, the Count gave him two phials of precious balsam as a parting gift.

Arnold or Arnulf, the son of Baldwin, had a romantic career, of which part only comes within the pages of Lambert. But we will end with the strange but clearly highly-gifted count whom we have thus seen in his lighter

* [Mark that the word 'acquisierat' literally translates *begotten* in its older use.]

moments. Men in those days seem, if they had the power, to have done whatever came into their heads, good or bad, wise or foolish. In reading of their doings, we feel ourselves in the company, not of one Zimri only, but of a crowd of such. Yielding in this way to every impulse, the same man would do both better and worse outward acts than the man of soberer times, who most likely checks all his strongest impulses, both good and bad. Such a chronicler as Lambert, whose high-polite Latin is not without a touch of fun, exactly suits both the good and the bad doings of his actors. We would send all who wish for a clear notion of the men of the twelfth century to the reading of this book. It contains many things both pleasant and profitable which we have not had room to pick out.

VIII.

POINTS IN THE HISTORY OF PORTUGAL AND BRAZIL.*

A VERY short time back we should hardly have reckoned either the kingdom of Portugal or its great American colony among the lands whose names we were eager to hear whenever any news was brought from foreign parts. Suddenly both Portugal and Brazil have leaped into an unusual amount of importance. They have at least become the subject of an unusual amount of talk. And the events which have brought both the mother-country and the colony into special notice at the same moment do not seem to have had anything to do with one another. It is of course likely enough that the late revolution in the colony may have something to do with republican movements in the mother-country; but the two events, which have directly struck men's minds in Great Britain, the fact that Brazil has driven out its sovereign and that Portugal has had a dispute with ourselves, are events which seem to have no kind of connexion with one another beyond that of time. How far the happening of the two so nearly at the same moment may help to affect the future course of events is another question. All that we are concerned with now is that the two things have happened, and that the happening of the two so close together has served to draw an

* [This piece has not before been printed. It was an Oxford lecture, delivered by deputy in February, 1890, when Portuguese and Brazilian matters were a good deal in men's minds. It was written at Bordighera, where I had no opportunity of reference to any books whatever. In revising it, I have made only a few verbal changes.]

unusual amount of English attention to the Portuguese lands on both sides of Ocean.

Now, when the events of our own time do in this way draw our eyes in a special way to any particular part of the world, it does not seem alien to the duties of a Professor of History to improve the occasion, so to speak, from his own point of view. When the affairs of a country that has not hitherto been greatly in men's minds come suddenly to fill a considerable place in them, there is sure to be a good deal of talk about them, and much of that talk is likely to be loose and inaccurate. To be sure Portugal and Brazil are not countries in the worst case, in that worst case which for some purposes is the best. Everybody has at least heard of them before. They are European lands, Christian lands; one of them has for ages been held to stand in a special relation to our own. They are not wrapped up in the mystery which attaches to some land which, whether nearer or further, European or barbarian, is practically newly discovered. Portugal and Brazil cannot boast the same charm which attached to the lands of Crim and of Soudan, when they suddenly sprang into notice, the one six-and-thirty years back, the other a good deal later. There is no need to puzzle over the names. There is neither the puzzling of those to whom the names are new at hearing them at all, nor yet the puzzling of those to whom they are not new at seeing them used in strange shapes and in strange uses. No class of our instructors marks either name with the definite article, that sure sign that they had never heard of it before they began to write about it. 'The Brazils' in the plural used to be a common form, and I have a dim notion that the reason has to be sought for in the vegetable kingdom. But the memory of 'Portugal pieces' is surely enough of itself to keep our 'ancient ally' from being spoken of as we speak of the last new land of which the newspapers chance to be full.

In seizing then the opportunity of saying a word or two about the lands which have thus suddenly come into

special notice, I may as well forestall the sentence to which one is so well used at the hands of German critics. This day you will assuredly hear nothing new. I make the announcement in our own tongue, though the judicial formula of 'nichts neues' is so familiar that it perhaps comes more readily to the lips. Now I am not fully convinced that even he who writes a book is always bound to put anything strictly new into it. The ready scribe who brings out of his treasure things old as well as new is not always an useless character. Still less am I convinced that he who speaks from this or any other professorial chair is bound to utter something new every time he officially opens his mouth. Even the last Commission did not bind us by such cruel fetters as that. But I am most fully convinced that, in this particular case, while I am bound by my office to say something on some subject, while I have chosen what seems to me a fitting subject, it is yet more impossible than ever that I should say anything new about it. In the place and under the circumstances under which I am putting this discourse together, I am altogether cut off from learning anything fresh—save of course from the newspapers of the day—on any subject in the world except certain parts of the remote history of Sicily. On a subject of which I have never made a special study, I have just now neither book nor man to turn to, if I wish either to call to mind or to learn for the first time, a single fact or name or date. And yet I am vain enough to believe that I can nevertheless say something that may be worth hearing. And why? Because all that I can give you will be the very simplest and plainest and broadest facts. And those very simplest and plainest and broadest facts are exactly those which it is most important to mark and to bear in mind, and they are also those which are more certain than any others to be passed by.

Of the immediate events which have in a manner given cause to this lecture I will say nothing. They have not yet come within my range. They are still only present

history; they have not yet become past politics. I will ask you to do a much simpler thing, a thing which at this moment I cannot do myself, namely, to look at the modern map of Europe. There, most western land of the European mainland, you will see the kingdom of Portugal, and you can hardly fail to mark the unique position which that kingdom holds on the map. If I were to say that Portugal is the only land in Europe which has a frontier and only one frontier, which has a neighbour and only one neighbour, I should be saying what is not strictly accurate. The kingdom of Greece has only one frontier and one neighbour; so have the principality of Monaco and the commonwealth of San Marino; so has the continental part of the kingdom of Denmark. But in these cases, save that of San Marino, very modern causes have been at work to bring about this state of things. Free Greece has no neighbour but the Turk, because the wisdom of Europe refuses to set free those enslaved parts of Greece, Servia, and Bulgaria, which would naturally be neighbours to one another. Greece again, so far as it is insular, has no frontier, though even its insular parts unhappily have a neighbour. This is still more true of Denmark, even without calling in the help of Iceland. That continental Denmark has one neighbour only is the result of several compulsory changes in the seventeenth century and in the nineteenth. That Monaco exists and has France to her one neighbour is the result of some singular choppings and changings thirty years back. And in the two really important cases, those of Greece and Denmark, neither the look of the map nor the facts of history supply any real analogy with Portugal. I trust that no one asks why Greece is not part of the dominion of the Turk, or why Denmark is not part of the dominions of the House of Brandenburg. But every one who looks at the map, every child who is learning geography, does instinctively ask why Portugal and Spain are two different countries. If he should even put his question into

the less civil shape, Why does not Portugal 'belong to' Spain? one could hardly be surprised at it.

In sober truth no country in Europe has the same air which Portugal has of being something cut off, one might say unnaturally cut off, from another country. Spain in the geographical sense, the Iberian peninsula, seems in every way to make a natural whole. The frontier between Portugal and the rest of the peninsula looks purely artificial and accidental; it seems to answer to nothing either in nature or in earlier history. No striking natural boundary divides the two kingdoms; what does strike one is that several Spanish rivers, above all the great Tagus, have their mouths in Portugal. Modern Portugal seems to answer to no earlier division. It is fond of taking the Lusitanian name, but the boundaries of Roman Lusitania were quite different from those of modern Portugal; they went further to the east and not so far to the north. Nor is it easy to call up any exact analogy, past or present. When England and Scotland were two separate kingdoms, Scotland might seem to be in the same position as Portugal, but the analogy will hardly hold. The difference between Britain as an island and Spain as a peninsula now comes in. If Scotland had only one frontier, England had no more. Except that England was larger than Scotland, there was no more reason to say that Scotland was cut off from England than to say that England was cut off from Scotland. The boundary between the two kingdoms was a fairly natural one, and assuredly Scotland did not cut off England or her capital from the mouth of any of her great rivers.

Something more like the geographical relation of Portugal towards Spain might be seen in past ages of geography, when Prussia was a duchy with Poland all round it, save where it opened to the sea. It might be seen in an earlier age again, when Normandy and her capital cut off France and her capital from the mouth of their great river. Yet even here there were differences.

First of all, Prussia and Normandy were not so completely parted off from Poland and France as Portugal is from Spain. There was at least the tie of a nominal vassalage on the part of the Prussian and Norman dukes. And when Prussia ceased to owe homage to Poland, when it became, first an independent duchy and then a growing kingdom, it had in a manner lost its geographical character. Poland still surrounded Prussia, but, when Prussia and Brandenburg had one prince, she no longer surrounded the whole dominions of the sovereign of Prussia, as Spain surrounds the whole European dominion of the sovereign of Portugal. No king of Portugal was ever exposed to the temptation which beset the prince who ruled at Berlin and at Königsberg, but who did not rule at Danzig. Then again, though the analogy of the Tagus and the Seine makes a great likeness between the cases of Normandy and Portugal, yet there were some marked differences. First of all, Normandy had been in the most literal sense cut off from France, whereas Portugal never was historically cut off from what we now call Spain, that is the state formed by the union of Castile and Aragon. And again Normandy was not surrounded by France. She had other neighbours on each side; France had no sea-board at all on the side on which Normandy helped with other states to hem her in. That in the days of Norman independence France had no sea-board anywhere does not concern us just now.

What again shall we say to another state which once was so hemmed in as to seem to have only a single neighbour? Gibbon, in one of the most striking of his epigrammatic sayings, speaks of a time when 'the Roman world was confined to a corner of Thrace.' Truly, as far as the seeming main body of the East-Roman Empire was concerned, the Turk was, in the first half of the fifteenth century, its only neighbour in a far more emphatic way than he is now the only neighbour of the Greek kingdom. But then the seeming main body was no longer the main body. The corner of Thrace was not the whole of the

Roman world. The corner of Thrace contained the Imperial city; but the Imperial province in Peloponnêsos was of greater extent than the corner; and in Peloponnêsos the Empire had another neighbour in the commonwealth of Venice. And if Portugal was not historically cut off from Spain as Normandy was from France, still less was the East-Roman Empire historically cut off from the dominions of the intruding barbarian who cut it short.

I think then that we may safely say that the present geographical position of Portugal is something which is strictly unique. Nowhere else shall we find in the same way a land which nature seems to mark for a single whole, from which one part is cut off by a purely artificial boundary to form a wholly independent state. Yet, if we come to think of the historical causes which have brought about this unique geographical position, there is really nothing very wonderful in it. I let fall a hint a little time back which may point to the key. I said, perhaps a little too soon for my argument, that what we commonly mean by Spain is Castile and Aragon. A nomenclature in which the land which we now call Portugal was held not to be part of Spain, would have sounded very strange at any time before the Christian æra and for many ages after it. The nomenclature is of the same kind as if we opposed to Scotland, not England but Britain, as if we opposed to Normandy, not France but Gaul. I have had to say more than once in my life that, if Isabel of Castile had married a king of Portugal instead of a king of Aragon, we should now talk of Spain and Aragon, as we do talk of Spain and Portugal. The separation of Portugal from what we commonly call Spain is simply a survival from the state of things when Spain in the natural and geographical sense of the name, the whole peninsula, formed a world of its own, parted out among several independent powers. One of these has incorporated all the rest save one. Or, to speak more truly, there was a time when it had incorporated all of them, and one only won back its separate being. During

part of the sixteenth and seventeenth century, Portugal was, no less than Aragon, Navarre, and Granada, under the same sovereign as Castile. Only Portugal again became separate, which none of the others did. The look of the map is deceptive. If we can say that the process of cutting off from something which it suggests ever took place at all, it was in the seventeenth century, when Portugal won back its independence under the House of Braganza. But in the eyes of every Portuguese that event was simply the throwing off of an usurped power, and the bringing back of an older and lawful state of things. With Aragon, peacefully wedded to Castile, such a separation was not likely to take place. But it might well have happened with Navarre, if Navarre had had the same force and the same luck.

Let us now take a glance at the Spanish peninsula, as it stood in the middle of the fifteenth century. The present position of Portugal was then not unique, even within the bounds of the peninsula. In the map of that day we see Spain, in the geographical sense, parted out into five kingdoms. There was the central state, the kingdom of Castile, more strictly the kingdom of Castile and Leon, stretching to all the seas which surround the peninsula, to the Mediterranean, to the main Ocean, and to that recess of the Ocean which we call the Bay of Biscay. Around it are grouped four smaller states, standing in a close relation to the central kingdom, but, with one exception, in no geographical relation to one another. Portugal lies, as it lies now, on the Western Ocean, occupying the greater part of the western face of the peninsula, but not so completely as to hinder Castile (in the wide sense) from reaching to the Ocean both north and south of it. Granada holds exactly the same position on the south-eastern sea of Spain which Portugal holds on the Western Ocean. Like Portugal, it has no neighbour but Castile; Castile parts Portugal and Granada from one another. It equally parts Granada from

Aragon on the eastern coast. Aragon, to be sure, has other neighbours beside Castile. It has Navarre within the peninsula; it has moreover a neighbour outside the peninsula; it marches on the kingdom of France; it even itself spreads beyond the Pyrenees. Navarre itself, away from the sea, marches on France, as Aragon also does, and spreads too beyond the Pyrenees. Yet, as we look at the map of that date, Navarre has far more the air of being cut off from Castile than either Portugal or Granada has. For the others, the thought which so strongly suggests itself in the present isolated condition of Portugal has no room to thrust itself in. Aragon and Granada cannot be said to be cut off from the land which we now call Spain, because Aragon and Granada went with Castile to form Spain in that sense. And Portugal, kept in countenance by Granada and Aragon, has no more the look of being cut off from anything than they have. Indeed the map of that date does not suggest that anything has been cut off from anything else; it rather suggests the true account of the geographical appearances, namely, that a central power has stretched out its arms in various directions so as to isolate the surrounding powers. Suppose Murcia had either kept its independence or had been conquered by Aragon instead of by Castile. Suppose Portugal had extended itself to the south-east, so as to bar the central power from the mouth of all the great Oceanic rivers. In any of these cases, and in plenty of other cases which might be imagined, there would have been no isolation of any of the Spanish kingdoms. Portugal might have marched on Granada, and Granada might have marched on Aragon.

When from the map we turn to the actual history, we shall find that, so far as anything can really be said to be cut off from anything else, the other four kingdoms might most truly be said to have been cut off from Granada. That is to say, the kingdom of Granada was the remnant of a whole from which Castile, Aragon, Portugal, perhaps even Navarre, may be truly said to have been cut away.

The map does not tell us, what the history does, that of the five kingdoms within the Spanish peninsula one was of a wholly different nature from the other four. While Castile, Aragon, Portugal, and Navarre, were all European, Christian, Latin-speaking, in a word Spanish, Granada was Oriental, Mussulman, Arabic-speaking, Spanish in nothing but the geographical sense. For all purposes but that of the map, Granada, like the power of which Granada was the surviving fragment, was not Spain, but Arabia translated, first to the soil of Africa and then to the soil of Europe. South-western Europe was then going through the same process which South-eastern Europe is now going through under our own eyes. The people of the land were winning back their own land from strangers. Europe was winning back its own from Asia; Christendom was winning back its own from Islam. Only in the south-western peninsula, if the work was done more slowly than we see it doing in the south-eastern, it was more freely done by the hands of those who were concerned. No Great Powers ever stepped in to hinder the growth of Castile or Aragon or Portugal. No European councils sat to decree that the lands which the Cid or Saint Ferdinand had rescued should be again thrust back under the yoke. No Imperial Otto or Henry or Frederick ever went as a guest to Cordova or Granada to congratulate caliph or emir on the improved power and discipline of armies raised to wage warfare against Christendom and Europe. Castile, Aragon, Portugal, Navarre, all grew, like Greece, Servia, Bulgaria, and Roumania, at the cost of the enemy. And three at least, Castile, Aragon, and Portugal, struck out, each for itself, a special geographical position and a special historical calling.

All three alike, Aragon and Portugal, no less than Castile, arose and grew by the same process of driving the Arab, native or assimilated, out of this or that part of the land of Spain. This fact is somewhat obscured in the case of Aragon and Portugal because the later and more famous

stages of the process were the work of Castile. It was Castile that won Cordova and Seville on one side and Murcia on the other; it was Castile, in partnership to be sure with Aragon, that won the final conquest of Granada. But when Castile, the central power, won Cordova and Seville on the one side and Murcia on the other, it cut off Portugal and Aragon from any further advance at the cost of the Mussulman. But the earlier history of Aragon and Portugal is as much a history of strife with the Mussulman as the early history of Castile. The winning back of Lisbon, the winning back of Zaragoza, are trophies as proud for Spain and Christendom as the winning back of Toledo and Seville. Their winning back was in those times what the winning back of Buda and Belgrade and Athens and Sofia has been in later days. The story of the old Portuguese kingdom begins with the vision and the victory of Count Alfonso; it ends with the warfare and the death of Sebastian, a warfare against the same enemy waged on the soil of Africa instead of that of Europe. What we call the kingdom of Portugal is strictly the kingdom of Portugal and the Algarves. And of the two lands sharing that Arabian name, one was the *Peraia* of Portugal in the land of the enemy. Still warfare with the Mussulman, advance at the cost of the Mussulman, that is recovery of the soil once lost to the Mussulman, though an essential element in the life of both Portugal and Aragon, is not the historical characteristic of either in the same way in which it is of Castile. Each of the Spanish kingdoms has such a historic characteristic of its own; but the geographical position of Aragon allowed its distinctive character to show itself much earlier than that of Portugal.

We have seen that, as the five kingdoms stood in the fifteenth century, Portugal had no neighbour but Castile, while Aragon had a neighbour out of the peninsula. This is the difference between a land looking out only on the Western Ocean and a land looking out on the Mediterranean and on all its coasts. Aragon played a great part in the

general affairs of Europe, not only earlier than Portugal,—for we cannot say that Portugal ever played such a part,—but earlier than Castile itself. We might even say that Castile itself, as Castile, never played such a part. When the whole formed by Castile and Aragon began to play a great European part, it was by virtue of the European position of Aragon. In the twelfth century Aragon held a great dominion in Southern Gaul, that dominion of which the Spanish possession of Roussillon was a long abiding survival. And, on the other hand, we must not forget how long Barcelona remained a nominal fief of the French crown. It was Aragon that in the thirteenth, fourteenth, and fifteenth centuries, ruled in the Sicilies and in Sardinia, and the exploits of Catalan warriors further east made an Aragonese king of Sicily nominal overlord of Athens. Castile has no such position as this; Granada was won for the realm of Isabel, but Naples was won for the realm of Ferdinand. The distinctive calling of Portugal did not show itself till the fifteenth century. It was one in which Aragon, as Aragon, could not follow it, but in which the whole formed by Castile and Aragon could and did.

What the distinctive calling of Portugal was is strongly brought home to the mind by the two recent events which have given Portugal and Brazil a special place in our thoughts. Portugal finds a subject of quarrel with Great Britain, and the place of that quarrel is in Africa. A Portuguese prince, driven from his throne, comes back to his own land, and the throne from which he is driven was in America. While Castile fought her battle at home, while Aragon stretched her power or the power of her house over the islands and peninsulas of the Mediterranean, the calling of Portugal was to spread her power over the islands and the vaster peninsulas of the Ocean. Africa and South America, two peninsulas vast indeed, of a physical shape so like one another, each turned its own way, looking towards each other like the letters of a

βουστροφηδόν inscription—those are the two lands from which the immediate interest springs. And those two lands, with the peninsula of India itself further to the East, were the lands which felt the expansion of Portugal. To say that it was Portugal that first doubled the Cape of Good Hope would be a characteristic summary of Portuguese history. The exploit of Vasco de Gama implies the main range of Portuguese enterprise; it implies the African career which went before it, and the Indian career that followed it. It may be said that the great discovery made by Portuguese enterprise did but follow, that it was suggested by, the great discovery made, if not by Castilian enterprise, yet by Genoese enterprise at a Castilian bidding. But the work of Columbus was but a part of the general work of Oceanic enterprise in which Portugal was undoubtedly the leader. The father of European exploration of distant lands, of European settlement in distant lands, was the Portuguese prince Henry.

That this special calling should fall to the lot of Portugal was the natural result of her position and circumstances. Shut out from growth in her own peninsula, she still had a work on the coast of Africa that lay opposite to her southern face. Under a leader eager for knowledge as well as for conquest, this grew into the career of Portugal in Africa and in the islands which, to say the least, are nearer to Africa than to Europe or America. To no country did discovery by sea, dominion by sea, come so naturally as to Portugal. Other powers followed her lead as a matter of choice; they all might have stayed at home. On Portugal came the strongest pressure not to stay at home. Her work in Africa, India, and America, was but the continuation of the first effort by which she rose to life. She won a portion of Spanish land back from the Saracen; she followed him into Africa, and, once on African ground, her career in the world at large opened before her with an attraction which could not be withstood. The only parallel is Russia. Russia was, and is, placed under a temptation, a necessity, of advance by

land yet stronger than the temptation which led Portugal to advance by sea. From Kief to Kamtschatka a man may walk; from Moscow the walk is somewhat shorter. And with the Tartar at Kasan and Astrakhan, the walk was as sure to be begun as the walk of Castile when the Saracen was at Burgos and Toledo. And when such a walk is begun, it is hard indeed to find the halting-place till the sea forbids any further walk. It is so whether the sea is the far distant northern Pacific or the comparatively near strait of Gibraltar. Castile might have kept herself out of Mexico. England might have kept herself out of Virginia. France might have kept herself out of Canada. The old Netherlands might have kept themselves out of the New. But Russia had her Mexico as well as her Granada, she had her Virginia, her India, and her Algeria, close at hand. For Russia not to advance in Northern Europe and Asia was impossible. And, if not impossible, it would at least have been very hard, for Portugal not to advance along the African coasts and seas, very hard for her not to advance yet further to the more brilliant Asiatic lands to which the African coasts and seas were an easy path.

The result of all this distant discovery was that Portugal rose for a short time to a position in the world which is startling compared with her position either in earlier or later times. I can make no exact reference, but I remember a despatch in which a Mogul Emperor addresses a King of Portugal as 'the most powerful king among the followers of Jesus.' Such a description sounds strange now; from a purely European point of view, it must have sounded strange then; but from the point of view of an Eastern potentate it was perfectly natural. This temporary lifting up of a kingdom or people to a place beyond its natural strength, a place which it cannot permanently keep, commonly causes the power so lifted up for a while to sink in after times rather below its natural place. Besides Portugal, this has happened to the Spain which was formed beside her by the union of Castile and Aragon. It has happened to the

United Provinces which threw off the yoke of Spain. It has happened to the chief kingdom of that Scandinavian peninsula which balances Spain in the comparative geography of Europe. Spain, the Netherlands, Sweden, would all perhaps be greater now, if they had not all been so unnaturally great for a century or two. And here again we may draw some analogies and contrasts. The greatness of Sweden was wholly European; she had colonies, but assuredly they added nothing to her power. The greatness of Portugal lay wholly in colonies and distant possessions; we cannot call her a great European power at any time. The greatness of the United Provinces also rested largely on colonies and distant possessions; but they had an European greatness too, a greatness, if not of territorial extent, yet of political and moral position. It was only the power formed by the union of Castile and Aragon which was for a while overwhelmingly great, in Europe and out of Europe. That is to say, to the European position which it inherited from Aragon it added another European position which came to it with the Austrian heirs of Burgundy, and a position in the worlds beyond the Ocean which it had in truth won by walking in the steps of Portugal.

In the worlds beyond the Ocean the two powers, Portugal and Castile—the Castile which had walked in her steps—might fairly count as peers. And for a while no other nations stood by the side of either. As things stood at the moment, it was a happy instinct which led Pope Alexander to divide those worlds between them. But, when the sixteenth century opened on the greatest position of Portugal in the Oceanic world, her position in her own peninsula was frightfully changed. Once one kingdom among five, and, if not the greatest of them, still less the smallest, she now found herself shut up in her own corner of the world alongside of a single power far greater than herself. Castile and Aragon were wedded together; Granada was conquered; Navarre was soon to be conquered also. Portugal, in distant lands the peer of the new power, began

in Europe, in her own peninsula, to look like something cut off from the dominions of that new power, or perhaps rather like something to which that new power had granted the grace of the Cyclops and was keeping it to be devoured the last. And so it was. A change of nomenclature now finally prevailed which set forth the change in fact. Long before this time the Kings of Castile were often laxly spoken of as Kings of Spain. Two Alfonsos indeed had borne themselves as Emperors in their own peninsula, as our kings bore themselves as Emperors in their own island. To speak of a King of Castile as King of Spain, as was common enough in the fourteenth century, marks, among other things, the forgetfulness of his Imperial claims. The King of Castile seemed in ordinary European eyes to be King of Spain, because Portugal had little to do with other European lands, and because Aragon had so much to do with other European lands that its king seemed to be of another class from a king who reigned in Spain, and in Spain only. The Peter who fell at Muret and the Peter who came to the help of Sicily could hardly be called purely Spanish sovereigns. Ferdinand the Catholic himself, before he went on to conquests in Spain or in Italy, was a Sicilian as well as a Spanish king. But the wedding of Castile and Aragon, followed by the conquest of Granada, gave things another look. The kings of such a realm were Kings of Spain in a new sense, a sense which for the present shut out Portugal, but which also hinted that the Spanish realm might be made complete by its annexation. From this time, in popular speech at least, the words Spain and Portugal came to be used as they are now. And the Portugal which was no longer counted to be part of Spain, was presently to fall under the yoke of Spain. Then it was, by another turn of the story, to win back its independence, at the cost of the deepest and most abiding hatred between the two nations thus shut up together in a land which nature has parted off from the rest of the world.

Philip the Second, ruler of so many other lands, was

thus King of Spain—King of the Spains—in a sense in which none had been before him. He was immediate sovereign of the whole peninsula. But conquered Portugal could not be kept like wedded Aragon. There were to be sure differences with Aragon also, above all with those stout-hearted Catalans who never forgot that they had a national being of their own. But it was Portugal only which, by falling back on its separate and independent being, broke up again the momentary union of the Iberian kingdoms. That restored Portugal never again won back its ancient place, that such European position as it has had it has largely had through being the cherished ally of England, are facts clearly to be seen. But how wide the gap is between restored Portugal and Spain in the modern sense is best shown by a fact of our own day. We have seen a Portuguese king decline the splendid offer of the Spanish crown on the express ground that the two nations could never be got to dwell together in unity. To the usual bitterness of neighbours, to the special bitterness of kindred neighbours, was added the memory of a day of subjection and a war of independence. So thoroughly have Spain and Portugal been parted, so little does Portugal hold itself to have any share in the Spanish name, that it was deemed wiser for Portugal, which had once unwillingly obeyed a Spanish king, to refuse to give in return a king to what seemed, for a moment at least, a not-unwilling Spain.

A short space only is left to say a word about the great American colony of Portugal, which has chanced to make itself famous at the same moment as the mother-country. What is specially characteristic of Portugal is her presence in Africa and India. Her presence in America is less distinctive; it is shared with Spain, France, England, the Netherlands, with Sweden for a moment. It is distinctive only because in this part of the world, Portugal was outstripped in the race which she had herself begun,

and yet was able to secure no mean share in the end. What draws most attention to Brazil is her peculiar history in the present century, the special line which she took when the American colony of Portugal, like the American colonies of England and Spain, had to part company with the mother-country. In the great case of arbitration between Great Britain and the United States, two of the arbitrators were the Emperor of the one American monarchy and the President of the one European federal republic. It might not be accurate to say that Brazil is the only monarchy that America has ever seen; for one native and one foreign adventurer have borne the style of Emperor of Mexico. Only a month or two back we should have said that Brazil stood in a relation in which no other European settlement in America has ever stood, both to the mother-country and to the royal house of the mother-country. While Brazil was still part of the dominions of an European sovereign, it was the only American possession of an European sovereign which ever enjoyed the personal presence of its sovereign. It is true that no king of Portugal ever thought of visiting Brazil as long as he could find a home in Portugal; but then no king of Spain or of England ever thought, in his days of good luck or of bad, of visiting his American dominions at all. The great American colony formed a part of the style of the King of Portugal, Brazil, and the Algarves, in a more definite shape than when the Kings of Spain added to the long string of their European titles that they were Kings also 'of the Islands and Continents of the Ocean, and of the East and West Indies.' And when the time came for parting between metropolis and colony, the parting was friendly. No War of Independence was needed; no Washington or Bolivar was needed. The colony became an independent state, but it kept on princely government in the princely house. If anything, the colony kept on more of princely dignity than the mother-country. It was in Brazil that the male line of Braganza went on

reigning, while the accidents of female succession made Portugal one of the many realms of the house of Coburg. Had the Brazilian monarchy lasted, the like accident would presently have carried it also out of the male line of Braganza; but it would have carried it only to another branch of the ancestral stock of all. We must not forget that the old kingly line of Portugal came, not indeed of Bourbon or of Valois, but none the less of the stock of Hugh Capet and of Robert the Strong.

In another way also the branch of the house of Braganza which reigned in Brazil, might seem to take on itself greater honour than the branch which reigned in Portugal. It is hard to say on what ground a ruler of Brazil could lay any claim to the Imperial style. He could not, like European Tzars and Kaisers, claim to bear about him some shred of the purple of Augustus; nor was he Emperor, so to speak, by analogy, as being the Over-lord of kings, a βασιλεύς with his ῥῆγες around him. But one might have left him his title undisturbed. At the worst it was a piece of childish vanity. The Imperial style of Brazil was no deliberate imposture, nor was it likely to lead the most unwary into reading the history of the world backwards.

Of the late revolution in Brazil it is too early to speak. That the blow has fallen on one who little deserved it none can deny. And it would be rash to say that a monarchy must needs be out of place on American soil, lest some one should infer from that doctrine that a commonwealth must needs be out of place on European soil. One thing at least is clear. Portugal and Brazil had learned their lesson from the errors of England and Spain. Those who had the wisdom to guide a metropolis and its colony into the sure haven of a peaceful parting, those who had the good luck to found a Syracuse where other powers could do little more than found a Korkyra, have a good right to count among the benefactors of mankind. Let us at least hope that their work may not wholly pass away in later changes, and that,

whenever another such work as theirs is called for, the fruits of their wisdom may not be forgotten.*

* [It is strange, while revising the proof-sheets (November, 1891), to hear of a new Brazilian revolution of the common South American type. When a 'Dictator' dissolves the Assembly and proclaims martial law, one ventures to doubt whether, even from the point of view of democracy, it is well to have got rid of a *βασιλεύς* to put a *τύραννος* in his stead.]

IX.

ALTER ORBIS.*

I AM not going to discuss the question of the Channel Tunnel. On the military aspect of the matter I could say nothing beyond a single hint. I would ask, with the lowliness of an ignorant civilian, whether, if there be any military danger, it is not a danger that cuts both ways. It is assumed that the tunnel will be threatening to England; if it be threatening at all, why should it not be just as threatening to France? It is certain that, from the earliest times onwards, English armies have been much oftener seen in France than French armies have been seen in England. Or rather, we should not speak of France and England. The question is one of lands and not of nations; it is a question that existed before England and France, as such, had come into being, and it would still exist if Englishmen and Frenchmen should cease to be, and if some other nations should hold the northern and southern sides of the 'streak of silver sea.' The question is purely geographical, and the invasions of Cæsar and William have as much to do with the matter as the invasions the other way of Edward the Third and Henry the Fifth. Indeed our own presence in our own island is one part of the case. There is no fact in history more important than the very obvious fact that those from whom part of Britain took the name of England came into Britain by sea, while those from whom part of Gaul took the name of France came into Gaul by land. If it be said that we came in by the German Ocean and not by the Channel, it is easy to

* [June, 1882.]

answer that the only real question is that of the insular position of Britain on all sides. And it is no less easy to answer that two of the Teutonic settlements in Britain, one of them the settlement which in the end grew into England, were actually made by way of the Channel. The plain facts are that not a few invaders have in various ages crossed both from the mainland to Britain and from Britain to the mainland, and that, since the nations of Europe made any approach to their present shape, the number of invaders who have crossed from Britain to the mainland is far greater than the number of invaders who have crossed from the mainland to Britain. The general danger seems equal on both sides; whether the tunnel, as a tunnel, implies any special danger to one side which it does not imply to the other side is a point on which I have no right to say a word. Buonaparte could not get from Boulogne to England; it may be that, if there had been a tunnel at that point, he would have come across. Henry the Eighth did get from England to Boulogne, but he got there only by going round by way of Edward the Fifth's conquest of Calais. Had there been a tunnel at that point, he might perhaps have been able to go straight across. I cannot decide such questions.

I must confess that I do not love the notion of the tunnel. I rather share the sentiment which the Pythian priestess put forth to the men of Knidos in the opposite case:

> ἰσθμὸν δὲ μὴ πυργοῦτε μηδ' ὀρύσσετε,
> Ζεὺς γάρ κ' ἔθηκε νῆσον, εἰ κ' ἐβούλετο.

I do not mean to take up a line which might condemn almost any great enterprise, any cutting through of necks of land, any tunnelling through the depths of mountains. But it does seem a strong thing to do ought that may even seem to wipe out the distinctive geographical and historical character of a land—to do ought that may seem to take away from it that which has made it and its people to be what they have ever been. I am certainly set against the

tunnel, not on military grounds, of which I am no judge, but from a fear that it may do something to lessen the insular character of Britain. I fear that it may do something to take from us, either in our own eyes or in the eyes of others, our ancient position as *alter orbis*, as a separate world of our own. We dwell in an island great enough to have always had interests of its own, thoughts of its own—great enough to impress upon its people a distinct character directly as islanders, irrespective of any other features of character which belong to them through other causes, either of original descent or of later history. It is the insular character of Britain which has, beyond anything else, made the inhabitants of Britain what they are and the history of Britain what it has been. We are islanders: and I at least do not wish that we should become continentals. My only reason for being set against the tunnel is a fear—perhaps not altogether a fear, rather a mere vague kind of feeling—that it may do something, in sentiment at least, towards making us cease to be islanders, and become continentals. Up to this moment every man who has passed from the mainland to Britain or from Britain to the mainland has passed by one process, that of crossing the sea. Nothing has so strongly kept up the feeling of our island being, nothing has so deeply impressed it on our own minds and on the minds of others, as this simple fact that Britain can be reached only by sea. We might even go a step further: we might say that this insular character is not merely a characteristic of Britain and of its inhabitants of all its three races, but that it has become a characteristic of the English folk wherever they dwell. The more part of the still dependent colonists of Great Britain are geographically islanders; and even those who are geographically continentals are practically islanders. They cannot go to and fro, either towards the mother-country or towards any other European land, except by sea. And even our mightier independent colonies, the newer and vaster England beyond the Ocean, are, in a certain sense, insular

also. The people of the United States, even in their vast continent, with a greater stretch of continuous habitable mainland than any other people, are, for many purposes, practically islanders, and that even in a more emphatic sense than ourselves. They cannot match themselves with their fellows, they cannot visit either their mother-land or the land of any other nation of their own rank, without crossing, not a narrow strait, but the Ocean itself. And much of the distinctive character of the English folk in America, much of the distinctive character of the English folk in Britain, undoubtedly comes from this practically insular position of both. Some may perhaps wish the character of the English folk in either hemisphere to be other than it is, and doubtless we are not so perfect in either hemisphere but that we could stand some improvement. But any improvement which would make us cease to be islanders would be, if not improving us off the face of the earth, at least improving us out of ourselves, and making us into some other people.

The American and the Australian aspects of the question we may pass by. No one, just yet at least, is likely to tunnel under the Ocean; the present question is simply one of tunnelling under the strait of Dover. To my mind the question comes simply to this: Will the proposed tunnel do anything to lessen our insular character, or will it not? If it is likely so to do, let it be hindered for the sake of our present welfare and our future prospects. If there is no such danger, the tunnel has no more to be said against it than any other projected improvement in the way of travelling. Whether it is likely to bring about a change which I should so greatly dislike, I do not undertake to judge: it is enough that the least suspicion of such a change is alarming. But I will not enter further into the question than to make one more remark, to expose a single fallacy. It is sometimes said that the tunnel is of itself simply of a piece with any other improved means of communication, with railways, steamers, tunnels and bridges in other places.

But there is a wide difference between the two cases. Railways and steamers, just like printing, simply enable us to do something better which we have always done somehow. The Channel tunnel is a proposal to make us do something which we have never done before. It has always been possible to cross the Channel by water. Successive ages have improved the means of crossing: a swift steamer is a better way of accomplishing the object than a coracle; but the difference between the two is a mere difference of detail. So it has always been possible to go by land from Spain to Russia. An express train is a better way of so doing than walking or riding; but the difference again is a mere difference of detail. But to go from Britain to the continent of Europe as the tunnel would take us—one hardly knows whether to call it going by land, but at any rate in some other way than crossing by water—is something altogether new. It is something altogether different from any mere improvement in the way of going by land or in the way of going by water. It is a change of a far more striking and emphatic kind, and must be argued for or against on quite other grounds.

I will go no further into the argument whether the Channel tunnel is or is not likely practically to affect our insular character. But the fact that such a point can be raised may make it no bad time to give some little thought to that insular character of ourselves and our land, and to the way in which it has from the earliest recorded times affected both our own history and the history of our land before its history became ours. The greatest fact in the history of Britain is the geographical fact that Britain is an island. This is the ruling fact which has determined the nature of all other facts in British history. It is a greater fact than the Norman Conquest, than the conversion of Æthelberht, than the settlement of the Angles and Saxons. For it is the earlier fact which gave all these events their special character. Not one of those leading facts in our

history could ever have had the same character which it actually had, none of them could have had the same historic position, the same relation to other facts if it had happened on any soil but that of an island. Britain has been from the very beginning another world—*alter orbis*—a world which has been felt from the beginning to lie outside the general world of Europe, the world of Rome. This position is only the highest case of a position common to most islands which are large enough to have a really separate being. Britain is the only island in Europe large enough to become strictly another world; but there are other islands whose insular position has given their history a special character, differing from that of Britain only in degree. A great island, one great enough to have its own feelings and interests, great enough, to think and act for itself, can never be really made one with the neighbouring mainland, whether that mainland take the shape of a continent or of a still greater island. Even very small islands have often maintained a degree of independence, and have reached to an importance in the history of the world, which could never have been reached by a district on the mainland of no greater extent. The history of Venice is something so exceptional that it is hardly fair to refer to it as an instance of anything; but it hardly needs proof that a Venice on the mainland of Venetia could never have run the same course as the real Venice on the bosom of her lagoons. But islands of far less fame have often won for themselves, for a while at least, a position altogether disproportionate to their extent and their lasting resources. Take some of the Greek islands at different periods of their history, Naxos, Samos, Aigina, and in later days, Hydra, Spetza, and Psara. In none of these cases was the greatness lasting; but it was wonderful while it did last, and it certainly could not have fallen to the lot of any continental district of no greater territorial measure.

But it is in the great islands, islands which themselves sometimes form a mainland with lesser islands around them,

that the effects of the insular position come out most strongly. Look at Sicily, look at Britain with regard to Europe, look at Ireland with regard to Britain itself. The strangest result of the establishment of Italian freedom has been that the name of Sicily has been, for the first time in its long history, wiped out of the map of Europe. And I venture to think that this somewhat hasty dealing with an ancient and illustrious kingdom, as it was a historic wrong, was also a political mistake. The name of Ireland at once provokes controversies on which I will not enter; I will say only that it is arguing from an utterly false analogy to expect that the kind of dealings, the kind of union, which have proved successful in the case of Scotland and Wales, will therefore prove successful in the case of Ireland also. England, Wales, and Scotland are bound together by the hand of nature; Britain and Ireland are parted asunder by the hand of nature.* I have noticed even in Corfù, an island not indeed on the scale of Britain or even of Sicily, but great among the other islands of the Greek kingdom, that there was a certain feeling of insular jealousy, a feeling that so renowned and valuable an island had hardly been made enough of since its union with the mainland and the lesser islands of the kingdom. From Corfù in its freedom we may turn to Crete in its bondage. The mere fact that Crete is an island, by far the greatest island within its own immediate range, gives it a separate being, and thereby a special importance, among the lands yet to be delivered. Samos again has been able to receive a measure of freedom and to prosper under it, in a way which would hardly have been possible in a district of the mainland of the same size. Still Corfù, Crete, Sicily, Ireland, however much their insular position has affected their character and history, could none of them aspire to the wholly separate rank of *alter orbis*. They must be content to hold in some sort the position of satellites; or, if they are not satellites of a

* [Written in 1882. Cf. William Rufus, vol. ii. p. 7.]

greater neighbour, they must at least be content to become in some sort members of a greater whole, parts of some greater system. Whatever be the hopes or the destinies of Ireland, it must stand towards Britain in some relation—be that relation of whatever kind—in which neither Ireland nor Britain stands to any other land. Iceland again can hardly fail to stand in some special relation to some one or other of the Scandinavian lands of the continent; size and distance are here outweighed by lack of population and productiveness. Yet even in the case of Iceland it was found not long ago to be an act of justice and expediency to raise her from the state of a mere dependency to the rank of a distinct member of the dominions of her sovereign, enjoying a constitution of her own.

But there is one island which holds a higher place in history than any of her fellows either of the Mediterranean or the Ocean. It is Britain alone that has been truly deemed another world from the very beginning of her known being. When the first blow was struck which gave Britain a place in the history of the nations, the exploit of Cæsar in crossing to the great island was looked on as the discovery and contemplated conquest of another world. The world of Rome was not enough for him: he set forth to seek another, to add a fresh world to the rule of Rome and his own.* 'Our world,' 'the Roman world,' is a common phrase among writers of the Roman Empire; and to this Roman world the other world of Britain is not uncommonly opposed. In later days, when Rome was represented in the eyes of men by her Pontiff rather than by her Emperor, that Pontiff, 'Pope of the world,' could receive the Primate of all England as the 'Pope of another world,' nearer in place to himself than the pre-

* 'Alterum pene imperio nostro ac suo quærens orbem,' says Velleius, ii. 46. So Florus, iii. 10, 'Quasi hic Romanus orbis non sufficeret, alterum cogitavit.' I have collected these and a good many other passages of the same kind in the notes to Comparative Politics, p. 351, and Norman Conquest, i. 564.

late of any see within the world of Rome.* And if Britain seemed another world to those who dwelled in the world of Rome, her rulers were no less ready to set forth her rank as *alter orbis* to swell the pomp of their Imperial titles. In the days of West-Saxon glory our princes were kings, emperors, caretakers, of the world of Britain.† It was the insular position of Britain, its isolation from the affairs of the continent, the multiplicity of nations and interests within it, the analogy between the position of its chief ruler among its lesser princes and the position of the Imperial lords of the Old and the New Rome, which, more than anything else, suggested that claim to an Imperial character which Eadgar thought it needful to assert in the days of Saxon Otto, and which Henry the Eighth thought it needful to assert in the days of Austrian Charles. There was one world, a Roman world, whose sovereign was confessedly *mundi dominus*, lord of the world, but only of his own Roman world. There was another world, an island world, which formed no part of his rule, whose princes owed him no homage, whose chief prince, lord of his own world, was deemed, in far later days, to be not only king, but Emperor within it.‡ In those days the Imperial title still had a meaning. The lord of the Roman world still held a place in men's thoughts which made it needful to assert that the other world and its sovereign owed him no allegiance. As the idea of a Roman world and a Roman Emperor died out, as the head of the isle of Britain changed from the Imperial chief of princes and under-kings into the immediate king of the whole land, there was no longer any reason either to deny dependence on Rome or to assert superiority over Wales and Scotland. One form, one specially contro-

* 'Orbis papa,' 'apostolicus orbis,' 'alterius orbis apostolicus,' 'alterius orbis papa.' See the references given above.

† Florence of Worcester (A.D. 975) calls Eadgar 'Anglici orbis basileus,' and Æthelstan, in a charter (Cod. Dipl. v. 231), calls himself 'Rex Anglorum et æque totius Britanniæ orbis *curagulus*.'

‡ For instances of the title under Edward the First, Richard the Second, and Henry the Fifth, see Norman Conquest, i. 562.

versial form, of opposition between the island world and the continental world thus passed away. But the island world in no way ceased to be an island world. If, through the union of its once contending elements, it came to bear less of likeness to the world of the mainland, its union did, on the other hand, weld it more thoroughly than ever into a separate world, having thoughts, ways, feelings, and manners, which are in many things special to itself, and unlike those which are usual in the continental world, the world that once had been the world of Rome.

I hope it may not be thought unbecoming egotism if I here make a quotation from myself. Nine years ago, speaking of that Imperial style of the English kings to which I have just referred, I wrote these words, and I am not sure that I could put the same thoughts into better words now:—*

'All this is much more than rhetoric; it is more even than national or territorial feeling. Our insular position has been one of the greatest facts of our history; it has caused a distinction between us islanders and our neighbours on the continent which is independent of all distinctions of race, language, or religion, and which is often found at cross purposes with all of them. We feel at once that there are some points, great and small, in which we stand by ourselves in opposition to continentals, simply as continentals. This is a fact which should carefully be borne in mind, because some points of difference between ourselves and our kinsfolk on the mainland, which are really owing simply to our geographical isolation, have been set down as proofs of imaginary Roman or British influences in England.'

Here, I still think, is the root of the matter. The inhabitant of Britain, Celtic, Teutonic, or any other—and late researches must make us at least weigh the possibility of the existence of others—is Celtic, Teutonic, or whatever he is, with a difference. He is the Celt or the Teuton inhabiting a great island, and marked off thereby from the Celt or the Teuton of the mainland. He differs from his kinsfolk of the mainland so far as his insular position makes him to

* Comparative Politics, p. 352. [1873.]

differ; he agrees with men of other races in his own island so far as their common insular position makes him to agree. There is a superficial likeness in many ways among all continentals; there are a crowd of points in which Germans, Frenchmen, Italians, widely as they differ among themselves, seem at first sight to agree with one another and to differ from Englishmen. And, as regards many of the small matters which lie on the surface of speech and manners, this is undoubtedly true. The essential unity of the insular and the continental Teuton has commonly to be looked for below the surface. Hence it is, as I said nine years ago, that the points of likeness which cannot fail to arise between men of different races dwelling in the same world, the points of unlikeness which cannot fail to arise between men of the same race dwelling in different worlds, have been often attributed to wrong causes, to the frequent misunderstanding of the whole course of our history. The man of Nether-Dutch stock will differ a good deal according as he is settled in the Teutonic lands of the elder continent, in the elder England in Britain, or in the newer England beyond the Ocean. In his two earlier seats at least he cannot fail to put on some points of likeness to his neighbours of other races. The point is that these likenesses and unlikenesses, the result of comparatively modern historical causes, should not be confounded with those more ancient likenesses and unlikenesses, the result of far earlier historic causes, which we call likenesses and unlikenesses of race.

One thing at least is not too much to say. Whatever may be the likenesses or unlikenesses among the Celtic and Teutonic inhabitants of Britain, and to whatever causes we may attribute those likenesses and unlikenesses, it is wholly owing to the insular position of Britain that it contains any inhabitants whom we can call either Celtic or Teutonic in any reasonable sense. The peculiar position of Britain under Roman rule, so different from that of the other Western provinces—the peculiar circumstances and results

of the Teutonic conquest of Britain, so different from those of the Teutonic conquests of the other Western provinces—all in short that distinguishes the history of Britain from the history of Gaul—all come of the fact that Britain is an island, such an island as could challenge the name of another world. In the days of the elder Empire, the conquest and occupation of the British province was clearly as thorough as the conquest and occupation of any other province. But the province beyond the sea—the other world which one Cæsar sought to add, and which another Cæsar did add, to the elder world of Rome—though it might be conquered and occupied, could not be assimilated like the provinces which formed part of that elder world. The plainest facts of all are the surest proofs. In Gaul and Spain the tongues which were spoken by the men of the land before the Roman came, the tongues of the conquerors who came when the power of Rome was giving way, alike yielded to the charmed influence of the Imperial speech. The tongue of the Gaul, the tongue of the Frank and the Goth, have both vanished before the tongue of Rome. The speech of the old Iberian indeed abides as a survival in a corner, and a speech at least akin to that of the Gaul abides as a survival in a larger corner. But the tongue of the Lesser Britain is in truth a survival, not of the Celt of Gaul on his own soil, but of the Celt of the Greater Britain flying from his own soil to the land to which he gave a new name. The still abiding life of the Celtic speech of Brittany is in truth part of the British, not of the Gaulish, argument; it is no small part of the evidence which shows how unlike the state of Britain was to the state of Gaul. In Britain the tongues of the Celt and of his Teutonic conqueror still abide; the tongue of Rome has no place in the land; as far as we can see, it has for fourteen hundred years had no place in the land as the living tongue of a people. The simple facts that Britain is inhabited by men speaking a Celtic and a Teutonic tongue, but that no part of the land is inhabited by men speaking a Romance tongue—that is, the

facts that English, Welsh, and Gaelic, are abiding tongues, and the only abiding tongues, in Britain—the fact that the Celtic speech of Britain is no mere survival in a corner, no speech brought in from another land, but the abiding speech of an appreciable part of the island, of so much of the island as the Teutonic conquerors failed to occupy and to assimilate—these simple facts, open to every eye, teach us better than anything else the mighty results of dwelling in an island world. They show that, when the Teutonic conquerors of Britain first landed in that world, the men whom they found in it were not mere Roman provincials, knowing no speech and nationality but that of Rome, provincials who looked to Cæsar's legions to fight for them, but who, when Cæsar's legions failed to help them, had no thought of fighting for themselves. What they found was a British people, divided indeed, incapable of national union, but not more divided, not more incapable of union, than their Teutonic invaders. They found a people whom Rome had conquered, whom she had deeply influenced, among whom she had left many of her traditions, but whom she had never really assimilated, never gathered into her own substance. That people Rome had now left to fight their own battles, and they fought them well and bravely, disputing in arms every step of the invader's progress. The stout resistance of Britain, compared with the tame submission of the other provinces, came of the fact that in the one case there was a British people ready to fight for its own, while in the other there were mere provincials who had lost all national feeling and national strength. And for this difference between the two cases no reason can be given except that the continental provinces, parts of the world of Rome, could be assimilated as well as conquered and occupied, while, when Cæsar stepped out of his own world into the other world of the great island, he could conquer and occupy, but could not assimilate. When therefore his arm was withdrawn, a nation sprang to life again, a nation which still abides.

That Britain still contains a British people, speaking a British tongue, is one of the results of the ruling fact that Britain is an island.

But if the Briton still remains a Briton because the land in which he has dwelled for so many ages is an island, it is that same great fact in our geography which has also ruled that the Englishman who came so many ages after him still remains an Englishman. The island world presented no attractions to those among the Teutonic settlers whose habits and whose geographical position caused their settlements to be made by land. There was no temptation to the Goth, the Frank, or the Burgundian, to cross the streak of silver sea which parted the two worlds. It suited him far better to press on step by step into the more inviting lands of Italy, Gaul, and Spain, lands at once easier to reach and easier to win. The conquest of Britain therefore did not fall to the lot of any of those among the Teutonic nations who had already learned to respect, in some measure to copy, Roman culture, and who, in becoming the conquerors of Rome, were ready also to become her disciples. It did not fall to the lot of those who had either adopted the new faith of Rome before they crossed her borders, or else adopted it in the very act of settling in the conquered land. The work fell to the lot of other and more distant tribes for whom the island world had attractions. These were the seafaring people of the old Anglian and Saxon lands, who dwelled apart from the Roman power, who were untouched by Roman culture, and to whom the new faith of Rome was utterly unknown. Coming by sea, leaving their old homes behind them in a more thorough way than they could do who pressed in step by step by land, feeling none of the reverence for Roman civilization which was felt by those who came by land, meeting on the other hand with a kind of resistance which those who came by land never met with, our forefathers were, by the nature of the case, by the direct effect of the insular character of the land in which they settled, driven to settle as destroyers.

Hence the special character of the English conquest of Britain, as distinguished from the Teutonic conquests of the Roman lands on the continent. But hence too, as we have already seen, the continued life of the elder inhabitants and all that belonged to them, in no inconsiderable part of the land. All this stands in utter contrast to the state of things in Gaul.* There, instead of the old Celtic inhabitants and the new Teutonic conquerors living on in different parts of the land, each keeping its own speech, and neither of them a Roman speech, we see a new people formed by the union of the old inhabitants and the new conquerors, a people which cannot, without limitations, be called either Celtic, Roman, or Teutonic, a people which may be called by either of those names from different points of view, a people whose blood must be mainly Celtic, whose speech is Roman, whose political history is Teutonic. In a word, it is because Britain is an island that we have in Britain a Celtic and a Teutonic people, but no people that can from any point of view be looked on as Roman. Because Gaul is part of the mainland, we have in Gaul a people which we may at pleasure call either Celtic, Roman, or Teutonic, or deny to be any one of the three. Because Britain is an island, we have in Britain the Welsh and the English people, each with its own tongue and its own history. Because Gaul is part of the mainland, we have in Gaul the French people, with their tongue and history, as marked as that of the Welsh or the English, but utterly different from either. That is, the insular position of our land led directly to the special condition of Britain both under the Roman rule and after its withdrawal. It led directly to the peculiar nature of the English conquest, unique among

* I take Gaul as the typical land, because there the natural results of the Teutonic occupation of a Roman land were left to develope themselves with least interference from outside. In Italy the process was checked by the recovery of the land for the Empire; in Spain it was disturbed—in some things hastened, in others delayed—by the Saracen conquest.

the Teutonic conquests. That is, it led directly to the distinctive historical life alike of the British and of the English people.

If the Roman occupation had in some measure weakened the claim of Britain to be looked on as another world, that claim was brought to life again in all its fulness by the English conquest. The 'making of England,' to adopt the happy phrase of John Richard Green,* was done in an island, and the 'making of England' was the growth of the national life of Englishmen. When we came to Britain, our national life was not yet fully formed; we brought with us its germs and its germs only; we became a nation on the soil of the conquered island. Thus we grew up an insular people, necessarily differing in some things from our kinsfolk in the continental world, necessarily approaching in some things to our neighbours and enemies in our own world. We grew up as a Teutonic people, in some things more purely Teutonic than our kinsfolk of the mainland. For we never accepted the law of Rome, we never saw a Roman Empire of the English Nation. But we grew up as an insular Teutonic people, a people of a thoroughly insular mould, whose insular characteristics parted us in many things from every continental Teutonic people. We are at least as strictly Teutonic as the High-Germans—for the Slavonic infusion in Germany must be at least as great as the Celtic infusion in England; but while we show the common Teutonic character modified in one way, they show it modified in another way. In them it was modified by their so strangely drawing to themselves the elder Empire, and making the crown of Cæsar a German possession. In us it was modified by our settlement in a great isle, by our there setting up an empire of our own, the empire of another world.

The insular position of Britain has thus always been the leading fact of British history, but it would seem to have

* [The phrase was new in 1882.]

affected British history in opposite ways at different times. For some ages it laid the island world specially open to invasion from all quarters: for some ages again it has specially preserved it against important or successful invasion. We may perhaps draw the line between the two periods at the eleventh century. Within that century come the last cases of great and successful invasion of Britain, whether by way of the Channel or by way of the Northern Ocean. Putting aside smaller expeditions, successful or unsuccessful, putting aside the coming of Harold Hardrada and several less famous Scandinavian voyagers later in the century, the eleventh century, unlike any century before or after, twice saw the crown of England, for the only times since there was an united England, pass, as the prize of successful invasion, to conquerors from beyond the sea. No earlier invader had done this: for when earlier invaders came, either England was not yet even in the making or was not yet so fully 'made' as to have a single crown to hand over to any man. No later invader has done this; for though several men have in later days come by sea to win or to claim the crown of England, not even those who won it could be fairly set down as conquerors. Robert of Normandy, Matilda the Empress, Lewis of France, Isabel and her son Edward, Henry of Bolingbroke, Margaret and her son Edward, Edward of York, Henry of Richmond and the pretenders who disturbed his reign, Charles the Second, James Duke of Monmouth, William of Orange, the two Stewart Pretenders, all came on errands of this kind; but not one of them can be set down as a mere foreign invader. Many of them were actually of English birth, and those who were not had or claimed to have some hereditary connexion with the English kingly house. All of them were invited and supported by at least a party in the country; several of them were distinctly accepted by the national will as deliverers of the nation. The foreign conquerors of the eleventh century stood in no such posi-

tion. Swegen and Cnut might have the support of the Danes of Northumberland, earlier invaders of their own stock; still they were strangers to England in a sense in which none of the men on our later list could be so called; William of Normandy had indeed his claim by legal right; but then no man in England hearkened to his claim. The Dane and the Norman alike were foreign conquerors in a sense in which the name could hardly have been given even to Lewis of France, had his fate made him a conqueror at all. We may safely say that the time of important and successful foreign invasions of Britain, both before the 'making of England' and after it, lasts down to the eleventh century, and then ends. After that time the invasions are many, but they are often not strictly foreign invasions on behalf of any foreign power, but enterprises undertaken with the good will of England herself or at least of some English party. The strictly foreign invasions of England since the eleventh century have been either utterly insignificant or utterly unsuccessful. Since the day of Senlac, Englishmen have never been called on to fight a great battle on their own soil against a foreign invader from beyond sea.* Scotsmen have had to fight one, on the day of the Scottish Brunanburh, the day of Largs. Up to the eleventh century Britain underwent a series of invasions, each of which changed the whole condition of the land, each of which brought in some new element into its population and its history. Since the eleventh century no invasion of this kind has even been attempted; the one which came nearest to it, the voyage of Philip's armada, was, among all invasions or attempted invasions—for the designs of Buonaparte hardly reach the rank of attempted invasion—the most pre-eminently unsuccessful.

* This definition of course shuts out the Battle of the Standard and any other battles in Scottish warfare. From our present geographical point of view, they are as purely internal quarrels as the fights of Harlaw and Naseby. And at the battle of the Standard David at least professed to be fighting in an English party-quarrel, the cause of one niece, one Matilda, against the other.

In the days then before the eleventh century the history of Britain is largely made up of invasions which amounted to national revolutions. As a series of such invasions led to the making of England, we may believe that an earlier series of the same kind must have led, in unrecorded days, to the making of Britain. Whether we hold that survivals of earlier races still exist among us or not, the Celts were assuredly not *autochthones* in Britain, neither did they come by land in the gloomy time pictured in Mr. Dawkins' map.* That time was one when neither Greek nor Northman could have had any room for his energies, when there was no Ægæan, no Hadriatic, no Baltic, no North Sea, no Channel, no Irish Sea, when a man might have walked from the site of Jerusalem, over the site of Constantinople and the site of Venice, to the spot where the Rhine ran into the Ocean somewhat west of the present mouth of the Shannon. The Celts, like those who came after them, must have come as invaders by sea, and if they found in the island anything so far advanced as Iberians or Ligurians, we must infer that those Iberians or Ligurians came at some earlier time as invaders by sea also. Britain, in any case, must have become Britain by a process essentially the same as that by which in after days so great a part of Britain became England. But these invasions of unrecorded days are mere matters of inference, though of fairly certain inference; we can say nothing as to their date, order, and circumstance. When we first get a glimpse of the island world, it is already the isle of Britain, and its first recorded invader is the great Roman. Cæsar, conqueror of the Gauls, was the first man of the Roman world who dreamed of conquest or of discovery beyond its bounds. His British campaigns, like the far Indian campaigns of Alexander, hardly came to more than the marches of an armed explorer. But where the first Cæsar had explored, some later Cæsar was sure to conquer, and, in process of time the greater part of Britain became a province of Rome, the

* Cave Hunting, p. 381.

last province of the West to be won, the first to fall away or to be forsaken. But we have seen that, even as a Roman province, Britain kept on its national life in a way that no other province of the West ever did. And the island kept on its island character in another way also. The island world was not always ready to accept rulers from the continental world; it sometimes aspired to impose rulers of its own choosing on the continental world. The 'land fruitful in tyrants' formed the centre of the power of Carausius and Allectus, of Maximus and the later Constantine. Invasion was familiar on either side; sometimes the legions passed from Gaul to overthrow the lord of Britain; sometimes the lord of Britain made his way at the head of his legions to rule on the mainland as well as in the island. And foremost among those whom Britain sent forth on that work was the first and greatest Constantine, he who first took by the Ouse the diadem which he wore by the Mosel and the Bosporos. And the long succession of revolutions which thus began in Britain has this specially remarkable feature. There is no sign of any national striving on the part of the Britons to throw off the yoke of Rome, and to exchange the rule of Cæsar for that of a native prince. Later British vanity has changed some of these so-called 'tyrants' into native British heroes; but in their own day they appear in no such character. A province of Rome whose position and circumstances gave it more of separate being than most of its fellows, unconsciously perhaps, certainly without any formal purpose, was led by a kind of instinct to assert oftener than any other province its right to choose a ruler for its own world. But the ruler whom it chose bore all the titles and asserted all the claims of a Roman Augustus, and his island legions were ready to bring under his power as many provinces of the mainland as his arms and theirs could reach.

Now, even in this period, we see that if either side of the Channel threatens the other, the other side equally threatens

back again. Invasions happened both ways, but there were certainly more forerunners of Henry of Monmouth than there were forerunners of William the Norman. And the next and greatest of all invasions of Britain, the settlement of our own forefathers, was accompanied, if not exactly by an invasion, at any rate by a settlement, the other way. British exiles fled from the face of the invading Angles and Saxons; they changed Armorica into a lesser Britain, and kept on the life of the stubborn British tongue in a corner of Gaul as well as in something more than a corner of Britain. Otherwise the effect of the English conquest was to make Britain more than ever another world, not in the way of invading or dictating to the continental world, but in the way of standing aloof from it. The thick cloud which shrouds Teutonic Britain in its days of heathendom, the meagre notices, the wild legends, which were all that reached the ears of the chroniclers and historians of the mainland, are the best witnesses to our utter isolation from the world of Rome for the space of a hundred and fifty years. Invasion from that world began again with the peaceful mission of Augustine. Peaceful it was; but it was invasion none the less; it helped to make the other world somewhat less of another world than it was before. There is no greater witness to the utter isolation of Britain from the mainland than the nature of the conversion of the English. Other Teutonic conquerors embraced the faith of Rome before or in the act of conquest; at most they learned it presently from the subjects among whom they were gradually mingled. The Teutonic conquerors of Britain abode in their ancient heathendom till their turning to the faith was begun by a special mission from Rome itself. Teutonic Britain was thus on one side brought within the Roman fold, within the fold of the Roman Pontiff, though not within the fold of the Roman Cæsar. The English folk—we may not yet speak of *England* as a land—were brought within the Christian and Roman fellowship, and so far the isolation of the other world was

broken down. Yet that isolation still continued to show itself in a thousand ways; the new elements which the conversion brought with it were assimilated in a wonderful way with the old Teutonic substance. The creed, the discipline, the nomenclature, of the new religion were all necessarily new, necessarily strange, to heathen Angles and Saxons. But they were soon taught to put on a native garb in which they seemed strange no longer. Nowhere did Christianity become so thoroughly a national, almost a local faith, as it became in England. Nowhere was the Church so truly the nation in one of its aspects; nowhere was the order and discipline of the Church so easily wrought into the old framework of the national institutions. And though the native tongue was unhappily not adopted as the actual tongue of divine worship—one might almost dream that, if the wiser Gregory had come himself instead of the less wise Augustine, it would have been adopted—yet it became a devotional tongue, the tongue of a native devotional literature, a tongue whose makers did not scruple to translate the most sacred phrases of the Church into their native speech. There was a strong measure of the isolation of the other world left in the men who shrank not from changing the Resurrection of the Saviour into the Againrising of the Healer. And in not a few points the conscious and designed isolation of Christian England was as marked as the unwitting and instinctive isolation of heathen England. The island world, shrouded in darkness, must have had dim and vague ideas either of the Pontiff or the Cæsar of the Eternal City. The island world, brought within their range by Christian and Latin teaching, had a clear knowledge of both. But that knowledge sometimes took the form of a protest. When Charles the Great dealt with both Scots and Northumbrians in a way hardly consistent with insular independence, Cenwulf of Mercia found it needful to assert that he at least had no regard for the bidding of either Pope or Emperor.* The older isolation was the isolation

* See Cod. Dipl. i. 281, and Norman Conquest, i. 569, 570.

of ignorance. The later isolation of knowledge showed it in the bold and systematic assertion of the rights of the island world to equality with the world of Rome, of the rights of the lord of the island world to equality with Rome's own *mundi dominus*.

Little in the way of invasion was wrought during these ages from the side of Britain, unless we apply the name invasion to the journeyings of English pilgrims to Rome, or, as we more rightly may, to the journeys of English missionaries to the elder Teutonic lands. In the person of Winfrith or Boniface England repaid the debt which she had contracted towards the continental world in the person of Augustine. Once indeed an English invasion of the mainland, of the Latin mainland, of the Norman mainland, is said to have taken place when Æthelred sent to ravage the Constantine peninsula.* But the tale is obscure and doubtful; it is mainly its strangeness which makes us think that it must have some truth in it; but if it has truth in it, it must be truth strangely distorted and exaggerated. Still, if anything the least like the story happened, if any Englishman did set foot in Normandy with a hostile purpose in days before the Norman came to England, the fact is one which well deserves to be noticed. It is one which stands out alone in the history of many ages, and which seems like a strange and solitary forerunner of events which were still far distant.

The chief feature which concerns us in the ages between the sixth century and the eleventh is not invasion from England, but invasion of England, invasion not by way of the Channel, but by way of the Northern Ocean. In the long tale of Danish inroad, Danish settlement, Danish conquest, the Channel plays only an incidental part. The wikings haunted the Channel as well as other seas; they sometimes wintered in the havens of Normandy; they often harried the southern shires of England; but their settlements were made, their final conquest was begun, in

* See Norman Conquest, i. 302.

quite other parts of the island. In the detailed history of England the tale of the Danish wars, that tale of incident and romance, that tale of shame and of heroism, must ever hold one of the foremost places. But in a view like this, we might almost look on the Danish conquest as the English conquest over again, or rather we might look on the two as different stages of one long process of Teutonic conquest. The Danish settlers might pass for the rereward of the great army, a rereward who came so late that they could settle only at the expense of those detachments which had formed the van. For a moment the fearful warfare of the fifth and sixth centuries seemed to have come again. A Christian land again felt the horrors of heathen conquest. What the heathen Angles and Saxons had been to the Christian Britons, the heathen Danes and Northmen seemed to be to the Christian Angles and Saxons. But it was soon found that they were in truth only a younger branch of the same household as the Angles and Saxons themselves. The Danish conquest of England was quite another matter from the English conquest of Britain. The Englishman easily assimilated the kindred Dane; the invader embraced the faith of the invaded; the Teutonic settlers of the ninth, tenth, and eleventh centuries became only another English tribe alongside of the settlers of the fifth and sixth centuries. Their Scandinavian speech became merely one of the local dialects of the English speech; their Scandinavian law became merely one of the many forms of English local custom.

For by that time the English nation was formed. It had grown up in its island home, in all the strength of its isolation; the land, its people, and its king, stood forth in all the marked character of the land, the people, and the king beyond the sea.* That land, that people, might still be conquered; but they could now assimilate their conquerors. First the Dane, then the Norman, could conquer England; but first the Dane, then the Norman, felt the

* On the use of such phrases as 'rex transmarinus,' and the like, see Norman Conquest, i. pp. 565, 616.

spell of the island world; they became as good islanders, as good Englishmen, as the men whose forefathers had come in the first three Jutish keels. The Norman Conquest was the last conquest of England, the last invasion of England that was at once important and successful. Since that day, from Tinchebrai to Waterloo, not only the balance of conquest, but the balance of mere invasion, has turned decidedly the other way.

Two main causes joined to bring about this change. One was the general change which about this time came over the condition of Europe. The great European nations were gradually forming and settling themselves. The last sign of the stirs of the great Wandering had passed away. Of that Wandering the Danish settlements in Gaul and Britain may be looked on as the last stage. The Norman conquests of Apulia, England, and Sicily, perhaps even the Crusades from one point of view, may be looked on as forming a transition from the days of national migration and settlement to the political warfare of later days. The Norman conquest of England, in the care with which legal pretexts were brought to justify it, in the anxiety of the Conqueror to allege the highest motives for his enterprise and to distinguish it from enterprises of mere brigandage, shows the change which was coming over the age. The days of such invasions as those of Cæsar and Claudius, of Hengest and Cerdic, of Ingwar and Swegen, had now passed by. We have henceforth to do with the ambition and policy of princes, often indeed zealously backed up by their subjects, rather than with great stirrings of nations. There might be wars between England and France; there might be mutual invasions of England and France; a French prince might be called to the crown of England and an English prince might claim the crown of France; but there was no chance of the French nation wishing to conquer and settle in a body on the soil of England; there was no chance of the English nation wishing to conquer and settle in a body on the soil of France. There was no longer room for any-

thing more than the kind of warfare which the world has been used to for many ages, warfare which, in Western Europe at least, whatever it seeks, never seeks the displacement, seldom seeks the absolute bondage, of any people.* In warfare of this kind, warfare which has gone on between England and France in every century from the twelfth to the nineteenth, England was, for many reasons, much more likely to be the invading than the invaded party.

The general causes which, from the eleventh century onwards, put an end to national invasions on a great scale, were further helped by the special and altogether new relations towards the powers of the mainland into which England was brought by the Norman conquest. England for a while had Norman rulers, rulers who ruled or wished to rule alike in Normandy and in England. In the quarrels of the Norman house, the separate ruler of Normandy twice failed in an invasion of England; the separate ruler of England, whether William the Red or Henry the Clerk, could partition, could purchase, could finally conquer, Normandy. Then England and Normandy alike became parts of the great but short-lived Angevin dominion, the forerunner of the kindred dominion of Burgundy and of Austria in later times. In both the Norman and the Angevin periods, England became subject to a king of a foreign stock who reigned also on the mainland, but to whom England, if not always his favourite dwelling-place, was at any rate the chief seat of his power. He waged wars on the continent for continental objects, and used for those objects the strength of his island kingdom. A habit of rivalry towards France, a habit of warring in France and therefore of invading France, grew up in the minds of

* The limitation to Western Europe is perhaps needful, because the wars of the religious orders in Pomerania, Prussia, and Livonia did really lead to the bondage, and in some parts to the utter displacement, of the earlier inhabitants. Beginning under the guise of a crusade, they grew into something more like the earlier kind of invasions.

Englishmen, and lived on long after its immediate causes had passed away. As long as England kept either Aquitaine or Calais, the materials for a French war were never lacking; the island world was an abiding encroacher on the world of the mainland. And after Aquitaine and Calais were lost, the feeling of national rivalry, often strengthened by sound political reasons, still went on. In this kind of warfare England was far more likely to be the invading power than France.

It is true that, from the days of Edward the First till our own day, no scare has been so easy or so telling as a scare of French invasion. And we must further remember that during nearly the whole of that time French invasion of England has been a much more common thing than people in general fancy. That is, if we apply the name invasion either to large designs of invasion which were never carried out, to actual landings in which some one town or district was harried but nothing more, or to help given to English parties or English pretenders. The first head takes in a long series ranging from Philip Augustus to Buonaparte, but it is a series belonging wholly to the class of things which might have been, but which were not. The second head takes in a long list of burned and plundered coast towns, from Dover in the days of Edward the First* to Teignmouth in the days of William and Mary.† But as no French landing led to the French conquest of any foot of English ground, neither did any French landing lead to any fighting which deserved the name of a campaign. Of the third class I have already spoken; the range reaches to the

* See the account of the French harrying of Dover in 1295 in the Chronicle of Lanercost, p. 165.

† See Macaulay, iii. 652. I ought perhaps to add the still later landing of the French at Fisgard in Pembrokeshire during the French Revolutionary war. Thirty years ago the surviving combatants and their descendants were very proud of the exploit of taking the whole body of the invaders prisoners without any help from regular troops.

[I must now say forty years ago.]

last enterprises on behalf of the banished Stewarts. If we take the geographical view, and look on Normandy and France as a geographical whole, we may carry it back the other way to the Norman support given to the banished Æthelings in the days of the first Harold. But all these invasions—to give every one of them that name—make together a small matter compared with the mighty warfare of Edward the Third and Henry the Fifth; they are not much compared even with Henry the Eighth's conquest of Boulogne. Down to the loss of Calais the King of England always kept some substantial possession, more or less, on continental ground. The short occupation of Dunkirk, the long occupation of Gibraltar, do in some sort continue the same series. But neither the King of France nor any other continental potentate ever held for a week together any real possession on English ground.

We thus see the obvious causes which, throughout these wars, tended to make England the invading power rather than France. A great island has, from the earliest times, commonly wished to keep some kind of foothold—what the Greeks called a *Peraia*—on the mainland. A continental power has no such temptation to win for itself a *Peraia* in the island. England had also, as an inheritance from Norman and Angevin times, a constant temptation to meddle in French affairs, and she was thoroughly able, if she thought good, to carry warfare on to French ground. France had no such temptation to meddle in English affairs, nor was she equally able to carry warfare on to English ground. The island was naturally stronger at sea than the continental kingdom. After the maritime activity of the Danes and Northmen went down, before the maritime activity of Portugal and Castile began, England was, beyond all doubt, the first naval power of the Ocean. Even on land, the political and social condition of England gave her every advantage over France for great military enterprises. The French kingdom was still growing at the cost of its own vassals; in the second great

stage of the Hundred Years War, it was torn in pieces by domestic quarrels; the state of society in France allowed only a feudal army strengthened by foreign mercenaries. During the greater part of the Hundred Years War, England was thoroughly united, and, even when she was otherwise, the plots and warfare of reactionaries against Henry the Fourth and Henry the Fifth did not tear the land in pieces like the strife of Armagnacs and Burgundians. Scottish warfare was a local scourge to the border shires; it never seriously impaired the real strength of the kingdom. And England had, what France had not, that national infantry, worthy successors of the warriors of Stamford-bridge and Senlac, who had lost nothing of their prowess by exchanging the sword and axe of their forefathers for the deadly arrows of their conquerors.

England therefore had far more temptations than France to act as the invading power, far better means than France for carrying out invasion on a great scale and with vigour. And in this whole matter it is almost instinctively France that we mainly think of. It is not merely because France is naturally suggested by the modern scheme with a mention of which we started. It is because France has really been the rival power, the invading and the invaded power, through the whole story. The French story is spread over centuries together. Other attacks or contemplated attacks are as it were episodes. The 'Dutch in the Medway' form an episode in the seventeenth century; but it is merely an episode; they never came before or after. The greatest danger of all came not from France but from Spain; but that again was an episode; Spain was terrible for a while in the sixteenth century; there was no fear from Spain before or after. What may conceivably happen in times to come from the growth of new continental powers, it is not our business to reckon. As yet, since the days of national migrations ended, the Channel has been the main scene, both of invasion from England and of invasion of England. As yet the invasions from England

have greatly surpassed, if not in number, yet certainly in importance, the invasions of England. We have kept up our insular character, and we have greatly disturbed continentals on their own ground. The continentals have disturbed us very little on our ground. The one question to my mind as touching the proposed scheme is, as I started by saying, Will it or will it not interfere in any way with our character as islanders, with our ancient position as *alter orbis*?

X.

HISTORICAL CYCLES.

THE old question as to the value of historical parallels is one which turns up whenever there is any matter of dispute at all. The truth is that everybody welcomes such parallels when they tell for his own party, everybody despises them when they tell for the other party. The slightest accidental likeness, even a mere play on a name, gives delight, if it seems to give the right side a lift, while the gravest and most instructive teaching of experience is scorned as 'antiquarian rubbish,' if its teaching happens to be on the wrong side. Putting both these states of mind aside, one kind of fallacy is implied in the thoughtless use of historical parallels, while an opposite fallacy is implied in despising them altogether. No historical parallel can be absolutely perfect, because no event in history ever exactly repeats itself. In truth it cannot repeat itself because the event with which it is compared has gone before it. The fact that a parallel is a parallel, the fact that two events of different ages or different countries are compared together, will hinder the two events from being exactly alike. The fact that one event belongs to one age and country and the other event to another age and country will impress upon each some points of difference from the other. But it does not at all follow from this that real instruction, practical instruction and not a mere gratification of curiosity, may not be drawn from the comparison of distant events with one another. For in truth it is often the points of difference which make the comparison most instructive. And it is often the points of difference in detail which best enable us

to see the essential likeness between two periods or states of things. A merely outward likeness, a likeness which is a mere likeness of detail, may very well be simply accidental. But a likeness which pierces through the differences necessarily caused by the diversities of countries, times, and men's manners, is pretty sure to be a real and essential likeness. That is to say, however remote in time and place the two events may be, analogous causes are at work in the two cases, and they are bringing about analogous effects.

Now, if these remarks are true of historical parallels in general, they are specially true of one class of historical parallels, which we will distinguish as historical cycles. We will give this name to those cases when events seem to reproduce themselves in the history of the same nation, when events happen in one age which, amidst all diversities, present an essential likeness to events which, perhaps in some very distant age, happened in the history of the same country or people. We may say, with the needful qualifications, both that events, strictly so called, repeat themselves, and that institutions repeat themselves. Institutions above all may practically repeat themselves amidst the greatest varieties of external circumstances. The institutions of a very advanced age may be a real return to the institutions of a very early age. The later days of a people, amidst countless differences of detail, may have more real likeness, more identity of principle, with its very early days, than with intermediate times from which, in all outward circumstances, they are separated by much slighter differences. This kind of reproduction in the history of the same people or country may be fairly called a cycle. A former state of things seems, with the necessary allowances, to be repeated. The nation seems, with the same necessary allowances, to come back to a point at which it stood ages before. This is strictly the cycle, as distinguished from the ordinary parallel. The analogy between ancient Greece and mediæval Italy is one of the

best parallels of the ordinary kind, one of those which we can best follow out both in points of likeness and in points of unlikeness.* But the parallel between mediæval Italy and primæval Italy before the power of Rome arose is a parallel of another kind. Our knowledge of the earlier period is not enough to enable us to carry out the comparison in the same detail in which we can carry out the comparison in the other case. But our knowledge is enough to enable us to say that the likeness between mediæval and primæval Italy is a real likeness. And, being a real likeness, it is a likeness of the particular kind of which we are now speaking. It is a return on the part of a country to a state of things essentially the same as a state of things many ages older. That is, it is a true case of an historical cycle.

On the other hand, a parallel which is simply a parallel and no more may sometimes be mistaken for a case of cycle, or it may sometimes, for interested purposes, be represented as being one. We have, for instance, heard till we are weary how the Buonapartes, elder and younger, somehow reproduced the career and position of Charles the Great.† Now there doubtless is a certain parallelism, faint and distant, it is true, but real as far as it goes, between the Empire of Charles the Great and the Empire of the elder Buonaparte. No doubt the virtue of the parallel is a good deal lost through conscious aping on the part of Buonaparte. Still there is a certain real analogy between two great dominions, both springing up in a comparatively sudden way, and both taking in, speaking roughly, nearly the same countries. But that is all. The parallel is not a cycle, but the opposite to a cycle. Setting aside the strictly Roman side of the Carolingian dominion, there is the most marked of all contrasts between the two. The Empire of Charles was the domination of Germany over Gaul; the Empire of

* See the Essay on this subject in the First Series.

† [Not much has been heard of this since 1870; but a good deal was before.]

Buonaparte was the domination of Gaul over Germany. A far nearer approach to a repetition of the career of Charles is to be found in the late aggrandizement of Prussia.* There is no such striking parallel at first sight as there is in the other case; but there is a real and very close likeness. Superficial observers are apt to talk of Charles the Great as a kind of meteor which flashed for a moment and left no lasting results behind. His great immediate dominion doubtless broke up; therefore to careless eyes it looks as if he did no lasting work at all. But Charles did two very great and very lasting works, one for good and one for evil. And one of them has just been pretty well done over again before our own eyes. The first work of Charles was to found what, as compared with the state of things before him, may be called an united Germany. His second work was to unite Germany and Italy under a single sovereign. On these two works of one man all later European history hangs. Now what have we ourselves seen within three years? The last traces of Charles' work for evil have been wiped out; his work for good has been done over again. It is hard to make people understand how many things go in cycles, how often history repeats itself, how much that seems to be innovation is really restoration. This is emphatically the case with regard to the German and Italian kingdoms. It is hard to make people believe that German and Italian unity are not utterly new things, but actual facts which existed long ago and to which we are now only going back. But any one who understands the history of the world for the last thousand years knows very well that every step that has been taken towards the unity of Germany or of Italy is not a step towards something new, but really a step back again towards something old.†

* [Written in 1869, while the North-German *Bund* was in being.]

† [This is true, though perhaps put in a way which might put an important difference out of sight. The special characteristic of the modern union of Italy is that it is a national union, wrought mainly

In our own history, above all, every step in advance has been at the same time a step backwards. It has often been shown how our latest constitution is, amidst all external differences, essentially the same as our earliest, how every struggle for right and freedom from the thirteenth century onwards has simply been a struggle for recovering something old, often in quite another shape, but still essentially the same amidst all the differences of an early and a late state of society. Let us take one example out of many, and let us illustrate it by an election story. A Liberal candidate professes to be a lover of everything old, a hater of everything new. He denounces the novelties of Toryism, the mere mushroom growth of the last two or three hundred years. Presently he is called on at a dinner to give the toast of the Bishop and Clergy. He makes the suspicious addition of 'Ministers of all Denominations.' A clergyman opposite triumphantly asks whether ministers of all denominations were among the old things which he loved. The candidate takes his opportunity, and shows how toleration was the old thing and intolerance the new; how, in the first days of the Gospel in England, a heathen king could give full freedom to the preachers of Christianity, and a Christian king did no kind of harm to those of his people who clave to their old heathendom. In short, if anybody, in Spain or elsewhere, wants a model for a Toleration Act, he cannot do better than turn to Bæda, and study the sayings and doings of the first Christian Bretwalda.*

from within. Italy was united under the elder Roman power; it was united under Odowakar and under Theodoric; it was united again for a moment under the Roman power at Constantinople. But none of these were national unions, though the first grew into something like one. Since then there has been no perfect union of the whole peninsula. The remarks in the text were mainly aimed at talk which was common when the Italian kingdom was a new thing, when many fancied that there had never been a King of Italy before Victor Emmanuel, or at any rate before the elder Buonaparte.]

* [I believe the exact words of the story were, 'You say you are a

In France we do not see the same going back to old institutions under other forms which we see in England; but we do see the principle of cycles busily at work in other ways. It is obvious that there are large parts of French history which read exactly like repetitions of other parts. There are scenes in the French history of the fourteenth and fifteenth centuries which only need the names to be changed to pass for scenes in the history of the great Revolution. In all cases we find the same deeds of violence and bloodshed done in honour of the most exalted principles of freedom and love of mankind. But there is a much subtler cycle in French history than this. Gaul has not, like England, fallen back on its old institutions, but it has certainly fallen back on its old nationality. The Frankish element has died out or has been assimilated, just as the Norman element has been assimilated in England. Gaul is again Gaulish, just as England is again English. And if it has not fallen back on its old institutions, it is for the obvious reason that there were not, strictly speaking, any old institutions to fall back upon. The old Teutonic constitution was capable of being developed, on its own principles, by the needful changes in form and detail, into the constitution which we have now. But Gaul, where Franks and Goths conquered and settled, but never formed the mass of the population, had no such inheritance to develope. Teutonic institutions were in Gaul simply the institutions of conquerors, as Roman institutions were before them. Hence there is in France no

lover of everything old and a hater of everything new. Do you call "Ministers of all Denominations" an old thing?' 'Yes; the very oldest thing of all; when Paullinus and Coifi stood up before Edwin, was not that "ministers of two denominations"?' But the fact thus jestingly put was quite true. The conversion of England was not, like the conversion of some other lands, wrought by compulsion. Influence and example no doubt had their effect; but influence and example have their effect everywhere. Laws against the old creed belong to a later time than the first conversion, mainly to a time when heathendom came in again with the Danes.]

such continued political existence as there is in England. The cities of France were ancient when most of the cities of England were founded; but, when we come to look at the laws and usages by which they are ruled, we find the balance of antiquity wholly the other way.

But there is no European country where events have repeated themselves in so remarkable a way as they have done in Sicily.* The repetition is so exact that it almost passes the stage of parallelism and reaches that of identity. But the repetition is not the result of any deep or mysterious cause; it is simply the natural, almost the necessary, consequence of the geographical position of the island. Placed between Europe and Africa, Sicily is the natural battle-ground of European and African powers. It has thus come to pass that the great struggle between East and West, between the Semitic and the Aryan races, which in later times grew into a struggle between the Koran and the Gospel, has been twice fought out on Sicilian ground. The possession of Sicily was in one age of the world disputed between Greeks and Phœnicians, between colonists from Corinth and colonists from Carthage. The prize is wrested from both by the conquerors of Southern Italy, by the advancing might of Rome. Sicily becomes a Roman province; presently each metropolis shares the fate of its colony, and Corinth and Carthage perish in a single year. Ages afterwards the same part is played over again. Sicily is again disputed between men of Hellenic and men of Semitic speech, between subjects of the Byzantine Cæsar and subjects of the Saracen Caliph. Again the prize is wrested from both by new conquerors of Southern Italy, conquerors again so far Roman that they spoke a

* [I have left this paragraph, though, or rather because, I have had so often to repeat all that is in it. (See among other things the essay on Sicilian Cycles in the Third Series.) But I see that in 1869 I had not yet been struck with a kind of sub-cycle, namely, the position of Carthage under Gaiseric, of which I have said something in the essay on Carthage in this volume]

variety of the speech of Rome. Sicily now, instead of a Roman province, becomes a Norman kingdom, and the Norman conqueror, like the Roman, again makes Sicily a basis of operations for warfare both in Greece and in Africa. The events here repeat themselves almost literally. In fact, they could hardly help repeating themselves. That they have not happened over again a third time is simply because for ages past there has been no African power capable of playing the part of the old Carthaginians and Saracens. Sicily has therefore been often tossed to and fro between different European powers, but it has not for many ages run any danger of becoming other than European and Christian.

Take again quite another part of the world, Persia. One cannot help thinking that the singular vitality of Persian nationality, which makes the history of Persia such a contrast to the ordinary sameness of Eastern dynastic history, is in some way due to the Aryan blood of the genuine Persian people. It is a great thing for a nation to be able to say that it has been, twice in its history, roused up, after long ages of bondage, to a new national life by the preaching of a national religion. Ismael in the fifteenth century called the Persian nation again into being by the preaching of the Shiah form of Islam, just as, twelve hundred years before, Artaxerxes had called it again into being by the preaching of the old creed of the land held down so long under Macedonian and Parthian conquerors. This Persian cycle is really more remarkable than the Sicilian one, because it is not due to equally obvious causes. It comes nearer to the way in which English and Gaulish nationality have cropped up again, though it differs from them in this, that the two restorations of Persian nationality were brought about by open revolution, and were also connected with a national religious movement. But the last circumstance is owing to that invariable law of the East which makes nationality and religion the same thing.

On the whole then history does repeat itself a good deal in the various ups and downs of the same nation. But cycles of this kind must be studied with the same allowances and with the same warnings as ordinary historical parallels. The points of difference must be carefully noted; but, after all, the fact that we note the points of difference is the surest proof of essential likeness.

XI.

AUGUSTAN AGES.

UNDER what kind of political circumstances does genius most flourish? This is a very old question, and it is a question which will never allow of any one trenchant answer. There are so many different kinds and degrees of genius, there are so many different ways of thinking as to what genius is, that no one general rule can be laid down about it. A great poet and a great discoverer in physical science are alike men of genius; but their genius is so unlike in kind that we cannot safely infer that the state of things which is the most likely to produce the one is also the most likely to produce the other. Again, there are many different kinds of poetry, each alike allowing of the display of genius, but of which one seems most likely to flourish in one state of society and another in another. And then how do we estimate genius? By positive or by relative results? Take, for instance, the case of inventions. Which really shows the greater genius, the man who brings a thing to the highest possible point of perfection, or the man who, long before, had been strictly the inventor of the first rude form of the thing? The first rude kind of boat, for example, seems ludicrously clumsy beside the latest improvements in navigation. Yet one may be tempted to say that no author of any later improvement in navigation showed so much of daring and original genius as the man who first set any kind of boat afloat on the water. The one was strictly an inventor; the other simply worked on the inventions of another. But again, two answers might be made to this kind of argument. It

might be said with some plausibility that the chances are that the inherent genius of the two men was kindred and equal, and that each, in the circumstances of the other, would have done what the other did. Or again it may be said that most likely there never was any invention in the strictest sense of all, that the earliest stages of any art are just as much matters of gradual developement as the latest, and that in the earliest stages there is much more room for accident than in the latest. Still, with all this, it is hard not to allow a good deal of inventive genius to the first beginners of the very simplest things. If Argo was the first ship, great honour is due to Tiphys and his brother Argonauts. And at any rate the first man who ever got on the back of a horse must have been a bold man and a decided genius in his own line. Endless questions of this kind may be raised, and endless answers may be found for them, all tending to show that no general rule can be given on the subject. Certain forms of genius, certain forms at any rate of something lower than genius, of intellectual activity, are undoubtedly most likely to appear under certain forms of political or social life. But genius, and mere intellectual activity also, take such endless forms that it is hopeless to lay down any general rule as to this or that form of government or state of society being most favourable to one or the other in the abstract.

We have been led into this train of thought, as into many other trains of thought, by an article in the Times. The writer was trying to account for the real or alleged decay of intellectual life in France under the present Government of that country.* And, whether we accept all his facts and conclusions or not, what he says on that head, as well as on the present state of things in England, Spain, and Italy, is worth thinking over and weighing. He has evidently looked with care and intelligence at the present condition of all those countries with regard to their

* [That is, in the year 1869.]

current literature. It is only when he tries to deal with past times, and to draw general principles from what he fancies to be the facts of history, that he gets beyond his depth. We will give the passage at length:—

'Genius works in cycles; it has its rich and poor crops, its prize and blank seasons, its so-called 'Golden Ages, Augustan or Medicean, influenced, indeed, by political causes, as crops by atmospheric accidents, but obeying also other more general, less obvious or superficial rules, acting, not only independently of all political influence, but sometimes even in antagonism to it. The stage in the life of a nation in which mental energy is apt to be at its greatest height is that in which, after a spell of great political convulsions, a period of comparative ease and repose succeeds. Thus the golden age of Roman literature dates from the closing of the Temple of Janus by the First Emperor; that of modern Italy from the termination of mediæval feuds ushering in domestic tyranny and foreign domination; that of England from the subsiding of religious dissensions under the sceptre of Elizabeth. Golden ages of this description are always of short duration, and are followed by eras of silver, of iron, of bronze, and even of lead. A cluster of a score or so of stars of the first magnitude blaze out in the firmament, but these give way before minor galaxies, and presently to mere nebulæ and utter obscurity.'

The context seems to show that by 'genius' in this passage we are to understand, if not exclusively literary genius, yet genius taking the direction of some form of literature, science, or art. For it must be evident to every one that some shapes of 'mental energy' never have so much scope as in the actual 'spell of great political convulsions.' The genius of the real statesman or the real general is as much a display of 'mental energy' as the genius of the poet or the painter. And it is clearly while the great political convulsions are going on that the real statesman and the real general find their best opportunities. Besides this, some of the works of great times of change cannot be distinguished by any hard line from strict works of literature. What does the writer say to oratory? Whether the speeches of any given public speaker become or do not become part of the literature of his country depends largely upon accident or upon the custom of his age and country. The speeches of

Demosthenes form part of the literature of Greece; the speeches of Perikles do not. There is no reason to be given for this difference except that in the days of Perikles it had not become the custom for orators to write down and preserve their speeches, while in the days of Demosthenes it had. It may be answered that one or two speeches of Perikles are preserved by Thucydides, and doubtless, as regards the general sentiments of Perikles, they are preserved. But no one supposes that the report of Thucydides gives us any idea of the style of Perikles; what he gives us is the sentiments of Perikles translated into his own style. As a literary composition then the funeral oration of Perikles is as much lost to us as the countless other speeches of Perikles which Thucydides did not report at all. But though the speeches of Demosthenes form, while the speeches of Perikles do not form, a part of the literature of Greece, there is no real difference between the two. There is simply the accident that the one set of speeches were written down and that the others were not. The two sets of compositions were essentially of the same kind. Perikles and Demosthenes alike composed real speeches for real delivery, and, as far as we know, they composed nothing else. They did not sit down, like Isokrates, and write essays or pamphlets which were meant, not to be listened to but to be read. As far then as oratory is a form of 'mental energy,' we always run the risk of giving one age an unfair preference over another, simply because the speeches of one age were written down while the speeches of another age were not.

But we will go on to the general rules laid down by the writer in the Times. Is his general doctrine true? Do his instances bear it out? The first sentence of our extract sounds to us a little hazy; but the second is clear enough. Mental energy, that is the particular kind of mental energy which the writer has in his eye, is to be mainly looked for in times when, 'after a spell of great political convulsions, a period of comparative ease and repose succeeds.' The in-

stances of 'Golden Ages' which the writer gives, Augustan, Medicean, Elizabethan, allow us to guess what he by great political convulsions. He does not mean a reign of terror like certain stages of the French Revolution; he means times of great political change, times of warfare, times of religious reform, times when men's minds are naturally awakened and put on the stretch. Now a mere reign of terror certainly does not lead to great displays of mental energy in the writer's sense. 'The Republic had no need of chemists'; neither had it much need of poets or historians. But surely times of great political excitement, where the excitement does not quite reach that height, are directly favourable to mental energy. The crop may sometimes be gathered in a later and quieter time, but it is the days of political excitement that stirred up the mental energy and sowed the seed which the quieter days reap. The writer in the Times gives us the usual conventional talk about the 'Augustan age' of Rome. 'The golden age of Roman literature dates from the closing of the Temple'—perhaps rather the Gate—'of Janus by the First Emperor.' Now is this proposition true in any sense? We might of course murmur something about the received Roman literature not being Roman at all, about the Camœnæ weeping over the grave of Nævius. But take the Roman literature as we have it. Whatever may be meant by a Golden Age of literature, do the so-called Augustan writers really surpass the ante-Augustan writers? Without going further back, we may fairly ask whether Virgil, Horace, Livy, and the rest, great geniuses as they undoubtedly were, were greater geniuses than the men of the Commonwealth, Lucretius, Catullus, Cicero, Sallust, Cæsar himself? For mere genius, as distinguished from artificial finish, the earlier poets are at least the equals of the later, and the later period can boast of one great prose writer only. And in talking about the Augustan Age we are apt to forget that the men who did it honour were men who were born, and many of whom had begun to write, before the Augustan Age began.

To go no further, the writer in the Times has quite forgotten how large a portion of the writings of Horace was written before the Gate of Janus was shut, while the civil war was still raging. The Augustan Age itself, the men born in that age, produced very little indeed. The only way in which the early Empire really encouraged genius and mental energy of any kind was by drawing forth direct or indirect protests against itself, in the shape of the writings of Lucan, Juvenal, and Tacitus. That is to say, the first crop of Roman literature was due to men who were formed in days before the Empire, the second crop was due to men whom the Empire schooled into opposition to itself. For the mental energy which is called forth by Imperialism pure and simple, we must go to Statius and Martial.

As to the Medicean age in Italy, that may mean either the last half of the fifteenth century or the first half of the sixteenth, or both together. It is by no means clear what exact time the writer whom we have quoted means. The 'Golden Age of modern Italy,' he tells us, 'dates from the termination of mediæval feuds ushering in domestic tyranny and foreign domination.' It is by no means clear whether it was the mediæval feuds themselves, or the termination of the mediæval feuds, which ushered in domestic tyranny and foreign domination. The Medicean period is generally held to take in at least the days of Lorenzo, and in the days of Lorenzo, whatever we say about domestic tyranny, foreign domination can hardly be said to have been as yet ushered in. And whichever period we take for the Golden Age, whether the days of Lorenzo or the days of his son, can we call the Medicean period a time of real mental energy? A time of great mental activity it undoubtedly was, an age of revived art, of revived scholarship, of much curious study in many ways. But for real mental energy we must surely go to an earlier time. Surely the one name of Dante, the true child and type of free Italy, outweighs all the elegant scholars and makers of pretty Latin verses who swarmed around Lorenzo and Leo.

To turn to our own land, the description which the writer gives of the time of Elizabeth sounds rather odd. 'Under her sceptre' we are told that religious dissensions subsided. Surely we cannot say that religious dissensions subsided under Elizabeth, but rather that they took new forms and were put into the shape of more definite formulæ. Under Henry, Edward, and Mary, there had been no small stock of religious dissensions, but they were all dissensions within the same body. Some thought that change had gone too far, others that it had not gone far enough; but there was no setting up of altar against altar. In Elizabeth's time we get the beginning of religious dissensions of the modern type; we find the first separatists from the established religion, the first Papists and the first Dissenters strictly so called. And surely the reign of Elizabeth, though only in a small measure a time of political convulsion within the kingdom, was a time of intense political excitement, anything but a time of ease and repose. And again, the display of mental energy during the Elizabethan age was of quite another sort from that of either the Augustan or the Medicean age. It was essentially a display, not of mere scholarship and imitation, but of the boldest original genius.

It is somewhat strange that the writer makes no reference whatever to the literature of old Greece. Certainly there is no literature whose history more thoroughly upsets his theory. To whatever date we assign the Homeric poems, we can hardly fancy that they are the work of an age of special ease and repose. And it is certain that the recorded literature of Greece, from Archilochos to Demosthenes, was the work of very stirring times indeed. Its greatest displays of mental energy took place in the midst of the political convulsions of the Persian, the Peloponnesian, and the Macedonian wars. For the Augustan or Medicean age of Greek literature we must look to the days of the Ptolemies, when such Greek intellect as was left took shelter in the ease and repose of the court of

Alexandria. There we see plenty of learning, plenty of science, plenty of imitative poetry; but the nearest approach to original genius is to be found in the pastorals of Theokritos. And they can hardly be set against Homer, Pindar, and the dramatic poets. The one really great Greek writer of this age is surely Polybios; and he passed the best of his days as the citizen and statesman of a free commonwealth.

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XII.

ENGLISH CIVIL WARS.

IT is an old complaint that history is made up of crimes, and the complaint is so true that it draws near to the nature of falsehood. The proper answer to it doubtless is that, in this imperfect world, good is chiefly shown in its antagonism to evil, and that, where we have the richest crop of crimes, we have also the chance of finding the richest crop of virtues. Where there are no oppressors there can be no deliverers; where there are no enemies to withstand there can be no heroes or martyrs. If everybody else had been as good as Saint Lewis, Saint Lewis could not have been so good as he was. In such an angelic community his virtues must have been mainly passive; he would have had few or no temptations to strive against; the occasions for doing most of his best deeds would never have happened. And again, it by no means follows that those parts of history which stand out before us as fullest of crimes were really the times of the greatest wickedness or the greatest unhappiness. A desolating war or revolution stands out before us in all its native ugliness; yet we may doubt, as Arnold doubted long ago, whether any war or revolution inflicts so much suffering, or does so much to corrupt and degrade a people, as some of those long periods of dull, grinding oppression which go on year after year, generation after generation, without leaving any particular mark behind them. A war or a revolution, if it gives special opportunity for great crimes, also gives special opportunity for great virtues; but there are times when men seem so utterly crushed by a long and wearing misgovernment as to

be unable to do anything great in the way either of good or of evil. The wars of religion in France were bad enough, but it would have been better to live in times which at any rate were alive than to have dragged on our being through the long and dreary deadness of Spanish misgovernment in Italy. It is only when we come to the Thirty Years' War that we begin to doubt whether quiet, however gained, is not better than an endless state of war and tumults.

In our own country we have had three great times of civil war, and two of the three are undoubtedly times to which we look back, and rightly, with feelings of national pride. The civil wars of the thirteenth and of the seventeenth centuries stand out among the most brilliant periods in English history, and we may fairly say that they combine an unusually large share of the good side of national commotions with an unusually small share of the evil. It is possible to sympathize with both sides, at all events with particular men on both sides. One reason is that, though the appeal to arms on the popular side was in both cases thoroughly justified, yet it was not called forth by any particularly monstrous oppression. It is quite certain that there were parts of the world either in the thirteenth and in the seventeenth century where the misgovernment of Henry the Third or of Charles the First would have seemed unusually good government. It shows how much higher the English standard in these matters was at any given time, as compared with that of most other nations, that our forefathers thought it worth while to draw the sword in either case. The earlier part of the thirteenth century is indeed somewhat different. King John and his Brabançons were positive evils in the land of a different kind from anything that went on under either Henry or Charles. Neither Henry nor Charles was a vulgar oppressor. Henry the Third, in truth, we cannot call in his own person an oppressor at all. In his personal character the 'King of simple life' was a most respectable gentleman; only he let his kingdom go to utter ruin, because he could not bear

to say No to his wife or his mother. Charles we may with more reason call an oppressor, but he was not a wanton oppressor. He was a despot on principle. Such a despot is politically far more dangerous than a mere vulgar wrong-doer; but his position is not inconsistent with much that entitles him to personal respect. Both these great struggles, that of the thirteenth and that of the seventeenth century, drew a certain elevation of character from the circumstances out of which they rose. The men who fought on the popular side were not like men who are goaded into revolt by mere brutal oppression, and who are therefore tempted to repay in kind what they have themselves undergone. They were men fighting for a principle, for the old constitution and laws of England, and on the whole they bore themselves in both cases in a manner worthy of the cause in which they rose. And, on the other hand, something of the same elevation of character was shared by their adversaries also. The Royalists of the days both of Charles and of Henry were fighting on what we hold to be the wrong side, but they were not in either case fighting for a system of gross oppression which it was plain at the first blush that they ought to have been ashamed to support. From one point of view we may be sorry to see good men on both sides coming together to take away one another's lives. But it is really honourable to the national character that, when great national struggles could not be avoided, they should have been of such a kind that good men could be found on both sides. In an ideal state of things, Hampden and Falkland ought never to have been arrayed against each other; but it is something, as things actually were, to have a Hampden and a Falkland to array against each other. And in the earlier struggle, if we weep for the overthrow of Simon the Righteous, it is something that it was by the hand of the great Edward that he was overthrown.

Our third great period of civil war, the struggle which comes in point of time between the days of Evesham and

the days of Naseby, is a less satisfactory spectacle than either the earlier or the later time with which it has to be compared. The thirteenth and the seventeenth centuries are eminently attractive parts of our history; the fifteenth, in its internal aspect, is certainly somewhat repulsive. It is not so easy to get up an interest in the Wars of the Roses as in either of the other two great struggles. The ugly features of civil strife come out into special prominence. A war in which fellow-countrymen butcher one another is not in any case an agreeable sight; and it becomes still less agreeable when fellow-countrymen butcher one another, as it would seem at first sight, without any cause whatever. The civil wars of the thirteenth century and the civil wars of the seventeenth are both perfectly intelligible. There is no doubt as to what the combatants were fighting for on either side. But the civil wars of the fifteenth century are by no means equally clear. Our first impression is that men were fighting out of mere blind attachment to personal leaders, or perhaps that they were fighting without any intelligible reason whatever, out of sheer love of giving and taking blows. The name by which the struggle is commonly known is significant. The other two have political names; they are the Barons' War and the Parliamentary War. With the former of these names we may perhaps feel inclined to quarrel. The name of the Barons' War sounds as if it had been a struggle for aristocratic dominion, instead of a struggle in which the barons simply acted as the first rank of the people. Still names like the Barons' War, the Parliamentary War, set forth well enough the political nature of the struggle, a struggle between the nation and its ruling powers. But the war of the fifteenth century has no political name; it is called, not after parties or classes in the State, but after the accidental badges of two particular families. It is the War of the Roses; and it might seem at first sight that it really was little more than a strife about a white and a red rose, a dispute in fact about

the colour of a shield, a dispute such as the dispute between blue and yellow still is to a good many who shout on either side. But we may be quite sure that in a country which had made such advances in civilized and political life as England had made in the fifteenth century, men did not go out to kill one another without some better reasons than these. If we look a little below the surface, we shall see that questions were involved a good deal deeper than the colours of the two roses.

In the disputes of the fifteenth century, the issue was by no means so simple as it was in the thirteenth or in the seventeenth. In the seventeenth century, the difficulty is that there was so much to be said on both sides. In the fifteenth century the difficulty rather is that there was so little to be said on either side. Or it might be put that there was a good deal to be said on both sides, but that the case on both sides was confused and inconsistent. The formal claim of the House of York rested on the dullest and most slavish doctrine of hereditary right. That doctrine, as it was put forth by the heads of that house, took a form yet duller and more slavish than it took in the mouths of the Jacobites. The Stewart pretenders were at least the male heirs of former kings; the elder of the two was what our fathers would have deemed a true Ætheling, the born son of a crowned king. The strictly family sentiment could therefore gather round them in a way in which it could not gather round pretenders whose claim rested on an intricate pedigree of female succession. The houses of Lancaster and York both came of the direct male stock of Edward the Third, and, according to male descent, York came of a younger branch than Lancaster. But, by a diligent reckoning of great-grandmothers, York could make itself out to be in the female line the representative of an elder branch than Lancaster. On the strength of such an hereditary claim as this, men were called on to brand as a dynasty of usurpers a dynasty which had reigned for three genera-

tions by a thoroughly good parliamentary title. Yet, notwithstanding the monstrous nature of the Yorkist claim, it is not hard to see that there was practically a good deal to be said on the Yorkist side. It is plain that the dead conservatism of the country was on the side of Lancaster, and that the advancing elements were for the moment on the side of York. It is further plain that the claim of the House of York was put forth as a kind of afterthought. Wars and fightings and merciless butcheries had begun before it was thought of. We might say that men had risen against oppression, and then, as if that were not enough, cast about for some means of putting themselves formally in the right.

It does not therefore follow that the permanent interests of the country were on the Yorkist side. When we get to Edward the Fourth we feel as if we were somehow getting into the region of Lewis the Eleventh and Ferdinand of Aragon.* When Lord Lytton called his novel the *Last of the Barons*, he did not hit on the most appropriate description of the personal Richard Earl of Warwick. But the title well enough expresses the change which came in with the accession of the house of York. Henry the Eighth was through his mother the grandson of Edward the Fourth; with the blood of Henry the Fifth he had nothing to do in any way. But, when Richard Duke of York first put forth his claim to the crown, all this could not be foreseen. The country at large most likely did not greatly trouble itself about the different stages of his pedigree. Men thought more of the plain fact that the country had been shamefully mismanaged by Margaret of Anjou and her favourites, and that Duke Richard, a man of winning and popular character and the best statesman and soldier that England then had, seemed likely to manage things much better. It was in short a strife which, like the other two, arose out of the actual

* [When this was written, the well-known name of 'the New Monarchy' had not yet been thought of.]

misgovernment of the time, but it put on a lower character than either of the others, from its presently coming to take the form of a dispute between two competitors for the crown. The particular crimes of Margaret and her favourites were greater than anything that could be laid to the charge of either Henry the Third or Charles the First. The cry for redress of grievances was as just in the fifteenth century as it was in the thirteenth or the seventeenth; but when that cry was mixed up with the claims of a particular family to the crown, it lost its real national character and soon sank into a mere personal and family dispute. And, as is sure to happen, men showed themselves far more bloody, far more merciless, in the war of a disputed succession, than they showed themselves in either of the wars which were waged for right and freedom. It was well for the men who were the leaders of England at the earlier and at the later time that they lay under no temptations to put themselves in the place of their country. The strife of the seventeenth century did not put on anything of a personal character till the main dispute was settled. The war of the fifteenth century had a personal character from the beginning; when the crown was once claimed, yet more when Duke Richard was dead, it became on both sides a mere merciless butchery, a mere sacrifice to personal ambition.

If we turn from the purely domestic character of the English civil wars to their aspect when looked at as parts of general European history, the lower position of the struggle of the fifteenth century, as compared with that of either the earlier or the later time, stands out still more clearly. The shaping of the English Constitution into its existing form was the great contribution of England to that work of universal creation and destruction which the thirteenth century carried on through all Europe and civilized Asia. That century was the time when old powers fell and when new powers arose—the time when the Eastern and the Western Empire, the Eastern and the

Western Church, the Eastern and the Western Caliphate, all put on forms which made them, for greater strength or for greater weakness, something utterly unlike what they had been before. It was the time when the chief nations of Europe became more definitely marked, when languages put on something like their present form, when states began to be marked by something like their present boundaries. The changes which were the result of the English civil wars of that age, the changes which distinguish the England of Edward the First from the England of John, were the share which England bore in the great work which was going on throughout the world. In the seventeenth century the connexion between English affairs and those of other nations is less obvious, but is none the less real. The direct connexion between our civil war and the great struggle on the continent is manifest; but there is something more than this. The war of the seventeenth century was a war waged in order to keep what the war of the thirteenth century had given us. It was a war waged to save the last of those free constitutions which had once been common to all the kingdoms of Western Europe. In France and in Spain the old institutions had vanished; in England they still lived on. It rested with England whether the fire of freedom should still go on burning on one spot, ready, when the time came, to be handed on once more to other lands. Had Charles established his despotism in England, as his brethren in France and Spain had established theirs, the one coal that was left would have been quenched; the hearth of the Prytaneion of Europe would have become cold. In this way the English civil war of the seventeenth century was a struggle, not only for English, but for European interests. The common welfare of mankind was at stake.

No such wider interests as these belong to the Wars of the Roses. Great events were going on in other lands, but the civil war of England had no reference to them.

The generation which fought for York and Lancaster was the generation which beheld the final overthrow of the Empire of the East, which beheld the stamping out of the last hopes of Lombard freedom, and which, on the other hand, in the growth of the Burgundy of the Valois Dukes, beheld the best chance of carrying out the hopes of a thousand years by fixing a lasting barrier between Germany and France. With the progress of these events, Englishmen, busy in tearing one another in pieces within their own four seas, had little or nothing to do. No doubt the ill success of the English arms in France had much to do with awakening that spirit of discontent without which Duke Richard would have had but little chance of pressing his claims. And at a later time Charles of Burgundy had a certain amount of influence on the affairs of the island of whose royal house he deemed himself a member. But to the general European character of either the earlier or the later struggle the civil war of the fifteenth century can make no claim. It is a time which, when looked at carefully, has its interest, but on the whole there is no part of our English history on which we can look back with less satisfaction.

XIII.

THE BATTLE OF WAKEFIELD.

We spoke lately of the English civil wars of the fifteenth century as contrasted with the earlier and later struggles of the thirteenth and of the seventeenth. We wish now to give some account of one of the particular battles which took place between the supporters of the rival Roses, a battle at once remarkable in itself and specially worthy of examination as having been made the subject of several popular misconceptions. It will be borne in mind that in the Parliament of October 1460 a compromise was agreed on between the claims of Henry the Sixth, as the actual possessor of the crown, and the claims of Richard Duke of York by virtue of an alleged hereditary right. Henry was to keep the crown for life, and Richard was to succeed at his death, and in the meanwhile to be Regent or Protector of the kingdom. The effect of this award was to cut off the succession of Edward, the son of the reigning King, and to put the Duke in his place as heir-apparent. Such an award was not likely to be acceptable to Queen Margaret, the mother of the prince who was thus shut out, and it is especially noticed that several of the chief nobles of her party, the Dukes of Exeter and Somerset, the Earls of Northumberland and Devon, and many of the lords of the North, were not present at the Parliament. The Queen and her party therefore treated the award as a nullity, and thus the settlement which was meant to bring matters to a peaceful agreement led only to a continuance of the war. The one battle fought at this stage of it was that of

Wakefield, in which Duke Richard lost his life; and in this his last fight he was at least formally in the right. He went forth as the acknowledged Protector and heir-apparent of the realm to put down a rising which had for its object the disturbance of a parliamentary award. In this cause, on the 30th of December, 1460, Duke Richard died in the fight waged in the fields between the town of Wakefield and the castle of Sandal.

In the narrative of this battle, as commonly told, two ugly stories stand foremost. Queen Margaret is made to be present in person; the Duke is taken prisoner and beheaded, with every circumstance of cruel mockery, and his head is presented to the Queen. Again, one of the Duke's sons, Edmund Earl of Rutland, described in the common story as a boy of tender years, is said to have been killed by Lord Clifford with his own hand, under circumstances of special cruelty. In both of these stories there is a great deal of exaggeration, and it will be well to test the evidence on which they severally rest. But before this is done, it will be better, for the clearer understanding of the story, to give some description of the site where the battle took place.

The scene of the battle, the scene in any version of the death of the Duke, lies in the low ground between Wakefield and the Duke's head-quarters at Sandal. The town itself stands on a slight eminence above the left bank of the winding stream of the Calder, the river which receives the more famous stream of the Aire, the stream by whose banks the Conqueror tarried so long on his great march to win back Northumberland. The river flows through low and marshy ground on either side, rising on each side into irregular and not very lofty heights. One of the most picturesque of ancient bridges connects the town with the country to the south of it on the right bank of the river. And the bridge on its eastern side is crowned by a gem of mediæval art—perhaps we should more strictly say, by a facsimile of the gem, which has the same effect as

the original in calling up the general aspect of the place. This is the graceful chapel projecting over the river from the eastern side of the bridge, a chapel which has been restored almost to rebuilding in modern times, but which still reproduces the beautiful workmanship of the fourteenth century. Compare the chapel over the Calder at Wakefield with the boasted chapel by the Arno at Pisa, and we shall see how little Englishmen—least of all Yorkshiremen—need to crowd their streets with buildings which forsake the forms of England for the forms of Italy. This 'right goodly chapel of our Lady,' as Leland calls it, on 'the fair bridge of stone of nine arches under the which rennith the river of Calder,' was a foundation of the townsmen of Wakefield; but as the Dukes of York had obtained the license in mortmain for them, they were formally held to be the founders. Out of this connexion with the House of York has probably grown the mythical belief that this chapel, whose architecture shows it to be a hundred years older than the battle, was founded for the good of the souls of those who died in it.

Standing on the bridge and looking eastward, westward, and southward, as far as the smoke of Wakefield chimneys will let us look any way, several special points may be made out among the low and wooded hills which rise on either side. To the east, close above the right bank of the river, rises the hill crowned by the picturesque Elizabethan mansion of the Heath, which, as far as we know, does not connect itself with any of the events of the battle. But to the west, on the left bank of the river, lies the high ground of Thornes and Lupsett, and there is one special point which is said to have played a part in the battle, and which at all events is remarkable on its own account. This is the small peaked hill, just outside the park of Thornes, immediately overlooking the town to the west, which bears the name, varied by endless local spellings, of Lawe or Lowe Hill. The former part of the name is of course the same as that

which is found in the names of many heights in Northern Britain, the Old-English *hlœw*, the Gothic *hlaiv*, the word used by Ulfilas for the holy tomb, and which lives in a most corrupted shape in the *Cuckamsley*, the *Cwichelmeshlœw*, of Berkshire topography. A central mound, seemingly, like so many others, a natural mound raised and improved by art and surrounded by a deep ditch, crowns a series of slighter fortifications on the slope of the hill. The name, purely descriptive and not connected with any Teutonic *epônymos*, may suggest that it was a work of the conquered Welsh, which the English conquerors of the Brigantian land found in much the same state as it is now. It is a hill-fort which might have grown into a castle or into a city, but which the caprice of human affairs has left untouched among the surrounding dwellings of man. The very meaning of its name has been forgotten; the word *hlœw* ceased to carry any meaning to modern ears, and, as so often happens, another word of the same meaning was added as an explanatory description of the word which had passed into an unintelligible proper name. This Lowe or Lawe Hill, already so distinguished in the sixteenth century, has been thought, we know not exactly on what authority, to have been the head-quarters of the Lancastrian side. It is more certain that it connects itself most temptingly with the spot on the other side of the river which undoubtedly was the head-quarters of the Yorkists. This is the castle of Sandal, lying nearly due south of the town. A local legend preserved by Leland, one of a class which turns up everywhere, distinctly connects the history of the two hills. The castle which was built at Sandal was to have been built on Lawe Hill:—

'A quarter of a mile withowte Wakefeld apperith an Hille of Erth caste up, wher sum say that one of Erles Warines began to build, and as fast as he buildid violence of Winde defacid the Work. This is like a fable. Sum say that it was nothing but a Wind Mille Hille. The place is now caullid Lohille.'

Now there would seem to be thus much of truth in the

legend, that a process actually did take place at Sandal which did not, though it might almost have been looked for, take place at Lawe Hill. A primæval fortress was taken advantage of in the building of the mediæval castle. In the present state of the place primæval and mediæval works are hopelessly confounded, or rather, as so often happens, the earlier works have survived the later. The works of the castle crown the highest point of a long sloping hill, lying between the river and the village of Sandal, whose cross church can hardly fail to draw attention by its central tower and choir of unusual length. The castle itself, a work of the Earl Warren of the days of Edward the Second, has sunk, save in one place where some small remains of wall are left, into a confused heap of mounds and fosses, which it would need the eye of Mr. Clark to cover once more with the buildings which they once upheld and defended. A notion of the general effect may be got from a rude drawing of the Elizabethan age, which was published by the Society of Antiquaries. The castle itself was slighted in 1648, and the greater part of the stones seem to have been carefully carried away. But the ruin of the mediæval works brings out only more strongly the great mound with its ditch, of the same type as its fellow the Lawe Hill, but of considerably greater height and depth. Its value as a military post must have been great in days when the country could really be seen, whereas now the abiding smoke which turns the white fleeces of the sheep into black makes it hard to do more than guess at its features. On this height it was that Duke Richard took up his quarters on the 21st of December, 1460. The lords of the Queen's party who had rejected the award had gathered together their forces at York, and the Duke had marched northwards to hinder their designs. He had come accompanied, among others, by his son Edmund Earl of Rutland, and by Richard Earl of Salisbury, the father of the renowned King-maker. On their march they lost some men in an encounter with Somerset's forces

at Worksop, but they reached Sandal, as has already been said, at the head of 6,000 men. The Lancastrian forces were at Pontefract, and on the 29th or 30th of December the battle took place.

The received account of the battle comes from the chronicler Hall in the time of Henry the Eighth. His version may be compared with several earlier authorities. There is one which, according to some theories of history, ought to be the most trustworthy of all, namely the preamble to the Act of Parliament which declares the three Lancastrian kings to have been usurpers, and Duke Richard to have been the king *de jure*. We have also the Chronicles of William Worcester, of John Whethamstede, Abbot of St. Alban's, and that of an anonymous monk of Crowland, commonly known as the 'Continuatio Crowlandensis.' Their different accounts do not exactly agree with each other, but any one of them would be enough to convict Hall's version of a good deal of misrepresentation. First of all, was the Queen there? According to the version given by Hall and Fabyan, she would seem to have been in actual command, and the rash determination of Duke Richard to give battle is thrown by Hall into the form of a magnanimous speech, in which he refuses to keep himself shut up 'for dread of a scolding woman, whose weapon is only her tongue and her nails.' But the more trustworthy Crowland writer says of the Queen, 'in partibus borealibus morabatur.' Just at this point there seems to be something lost in his narrative, and he gives us no actual account of the battle. But if we follow William Worcester, who seems to be by far the best authority, Margaret was certainly not now in Yorkshire, although she was in a part of the world which might still more truly come under the head of 'partes boreales.' According to this chronicler, Margaret had fled into Scotland in July, as soon as the Parliament had been summoned for October ('Et dicta regina Margareta, cum principe Edwardo filio suo, de Wallia per mare fugit in Scotiam'), and she did not come from Scotland to

York till after the battle was over ('dicto bello finito, regina Margareta venit de Scotia Eboraco'). The Act of Parliament makes no mention of Margaret at all, and Abbot Whethamstede, though he attributes the action of the Northern lords to her agency ('ad instantiam dominæ Margaretæ reginæ'), has not a word to imply that she was there in person. We can therefore have no doubt whatever in rejecting this part of Hall's story, and in setting down the alleged immediate share of the Queen in the death of Duke Richard as one of the exaggerations which were sure to gather round such a story.

Of the battle itself, we have, setting aside the later version of Hall, two distinct accounts. That of Worcester is very sober and circumstantial; that of Abbot Whethamstede is far more loose and high-flown, and seems to be quite romantic in some of its details. The Abbot also shows a less accurate knowledge of the ground than Worcester. He gives no names to the places occupied by the two parties, and he says that the Duke's force chose a place and encamped near the town ('elegerunt ibi juxta villam sibi campum stationis erigentes tentoria'), while the Lancastrians were encamped not far off ('castrum metati non multum distantem a castris suis'). This is certainly not an accurate description of Sandal and Pontefract. We have also the Act of Parliament, but any one who wrote history wholly from the Statute-book would never find out that there was any battle at all. In the words of the Act, the Duke was 'falsely, traiterously, horribly, cruelly, and tyrannyously murdered.' This, when translated into everyday language, simply means that he was killed in what, whatever we think of the justice of the war on either side, was at any rate a fair fight. According to Whethamstede a day was agreed upon for a battle ('dies inter partes appunctuatus super tempore prælia-tionis'); but the Lancastrians treacherously set upon the Yorkists with superior numbers before the appointed day, when they were out foraging. This is a kind of story

which turns up in a great many times and places, and the foraging party seems to be the only element of truth in it. It is of course out of this story that the tale grew about the challenge sent by the Queen and her party to the Duke, and the Duke's answer about her tongue and nails. But from Worcester it is plain that the battle was brought on by accident, owing to an attack made by the Lancastrians on the Duke's foraging parties ('gentibus ducis Eborum vagantibus per patriam pro victualibus quærendis, factum est execrabile bellum'). At all events the Duke was tempted down from the height of Sandal, and it is just at the foot of the sloping hill that tradition places the place of his death. One huge and aged willow-tree and the stump of another, the remains of three which once stood there, are said to mark the exact spot. It is plain that the battle must have raged over all the low ground between the castle and the town. One peninsula formed by a bold bend of the river bears the name of *Pugnells*, a name which we do not profess to explain; but we need not say that local imagination has seized on it, and sees in it a Latin memory of the fight.

Now comes the question as to the manner of the Duke's death. We may set aside all versions of the story which represent Margaret as an actor or a spectator, but Whethamstede distinctly says that the Duke was taken alive, crowned and saluted in mockery, and then beheaded. But then he almost pronounces the condemnation of his own story when he brings in the dangerous comparison:—'Non aliter quam Judæi (?) coram Domino incurvaverunt genua sua coram ipso.' The story too seems set aside by the distinct words of the Act of Parliament that the Duke and his companions, 'after they were dede,' were 'heded with abhomynable cruelte and horrible despite, against all humanite, and nature of nobles.' It is plain from Worcester that the Duke was killed in actual fighting, as was Thomas Neville, son of the Earl of Salisbury, and a number of men of all ranks amounting to 2,000. The Earl of Salisbury was

taken prisoner the next night, not, as Hall says, wounded and taken prisoner in the conflict. In the flight the Earl of Rutland was stopped and killed on the bridge by Lord Clifford. This is really all that we know for certain. Earl Edmund, born, as Worcester carefully tells at the proper point of his annals, at Rouen on Monday, May 17th, 1443, at seven o'clock in the evening, was certainly not, as Hall makes him, a boy of twelve in December, 1460. We may therefore suspect that the pathetic tale in Hall, which has grown into a pathetic scene in Shakspeare, has a large mythical element in it. The plain story in Worcester runs thus :—

'In crastino apud Pountfrett bastardus Exoniæ occidit dictum comitem Sarum, ubi per concilium dominorum decollaverunt corpora mortua ducis Eborum et comitis Sarum et Ruttland. . . . posuerunt-que capita eorum super diversas partes Eboraci. Capud quoque ducis Eboraci in despectu coronaverunt carta.'

Leland seems to confound the death of the father and the son :—

'Yn the flite of the Duke of York's Parte, other the Duke hymself, or his sun therle of Rutheland, was slayne a little above the Barres beyond the Bridge going up into the Toune of Wakefeld that standith ful fairely apon a clyving ground. At this place is set up a Crosse in rei memoriam. The commune saying is there that the Erle wold have taken ther a poore Woman's house for socour, and she for fere shet the Dore and strait the Erle was killid.'

The story of this battle is worth examining, as showing at how late a time in our history a legendary element is still to be found, and as showing also, in the case of Abbot Whethamstede's version, how soon after the event that legendary element arose. And it is perhaps something to clear the character of Queen Margaret from any direct share in the base treatment of the Duke dead or alive, though, as we do not read that she ordered his head to be taken down from the gate, she may still be looked on as in some sort an accomplice after the fact.

XIV.

NATIONAL PROSPERITY AND THE REFORMATION.*

THE 'Reformation,' the 'Blessed Reformation,' is an event of which, in England at least, it is not easy to fix the exact date. There are not a few who talk as if the religious changes of the sixteenth century were with us, as they were in some foreign lands, a single act done at a particular time. And to this supposed single act the most astonishing results are sometimes attributed. Among many sayings of the kind one made by a well-known peer in his place in Parliament may be taken as setting forth a large mass of opinion on the subject.

'It was important to observe how entirely this nation had been blessed and made great since the Reformation. We were certainly a respectable European Power before that event, but gave no promise of our subsequent power and influence. But since that period, and especially during the time of Elizabeth, our Colonial Empire had been established, and we had extended our name, language, and religion over a very large portion of the globe.'

It may perhaps be thought by some to be a somewhat Jewish way of looking at things to estimate the advantages

* [In reprinting this article I have added a few things. I have also struck out most of the immediate and temporary comments on particular persons and their sayings. But it is fair to say that the one saying which was taken as a text came from a speech of the late Lord Redesdale. I had often, in the course of my Saturday Review writings, to comment on speeches of his. And Lord Redesdale was the kind of opponent whom one is always glad to have to deal with. For, whatever one thought of his position, he always knew his own meaning and he always set it forth honestly.]

of a religious change by the temporal prosperity which it is supposed to bring with it. But the assertion has often been made before, and it will most likely often be made again. It may therefore be worth while to look a little further into the facts of the case, without special reference to any particular statement on the subject. And for this purpose it will not be needful to dive into the exact meaning of the word 'Reformation.' People use that word in the vaguest way, without attaching any kind of meaning to it, and jumbling together a great many quite distinct events. The Reformation sometimes means the throwing off the authority of the Pope; sometimes it means the dissolution of the monasteries, sometimes the setting forth of the English prayer-book. Now all these are distinct events which happened with some space of years between them. We might even say that none of the events themselves was strictly speaking one event; for each was done by degrees. Each is quite distinct in idea; moreover it is conceivable, though certainly not likely, that any one of the three might have happened without either of the others following. All three undoubtedly have a connexion; all three, in the view of general history, were parts of one general movement; but the mere annalist would have to set them down as events which had nothing whatever to do with each other. In England the Reformation, Blessed or otherwise, was not a single act done at a single time, but the final result of a great number of changes, backwards and forwards, spread over a time of more than thirty years. One can hardly conceive any one being really so ignorant as not to acknowledge this for a true statement of the facts. But this is one of the endless cases in which men do not use their knowledge, one of the cases in which they would, if closely pressed in an examination, give a right answer, but in which they habitually speak and act according to quite another way of looking at things. Laying all this aside, there is the fact that the religious condition of England in 1570 undoubtedly differed not a little from its religious

condition in 1520. How far is there any reason to suppose that the advances made since that time by England, whether in war, commerce, external dominion, or internal good government, are the direct results of those religious changes?

National prosperity, it must be remembered, is of two kinds, which may go together or may not. A state may be great in the sense of being powerful, great in extent and population; its counsels may be listened to in peace, and its armies may be dreaded in war. It may be placed beyond all fear of being conquered itself, and it may have the means of conquering other states, if it chooses to use them. On the other hand, there may be a state whose physical extent and power could not successfully resist some of its neighbours, whose voice is never heard in diplomacy except with regard to its own affairs, and yet which may be thoroughly free, well governed, and materially prosperous within its own borders. It may well be better off in all these things than many of the powers which in physical strength far surpass it. Of course either kind of prosperity is more likely to be permanent when it is backed up by the other. The external power of a state cannot last if it is thoroughly ill governed and discontented at home. On the other hand, there is always a fear that the internal prosperity and good government of the small state may be put an end to by its conquest by some greater state.

Now we Englishmen are apt to fancy, and there is a germ of truth in the fancy, that we have the advantage over all other nations in the union of various forms of what the prayer-book calls health and wealth. Internal freedom, external importance, material prosperity, are three excellent things. Other nations have one or two of them separately. Frenchmen, notwithstanding that they live under a despotism,* contrive to get rich at home and to make a noise all over the world. Dutchmen, Belgians, Swiss, are free and happy in their own fashion at home, but nobody cares about them as European powers. Even

* [1868.]

„ Russia, however lacking in the other points, is at least very big, and is not to be meddled with without due forethought. As for Spain, Greece, and the dominions of the Turk, they are supposed to lack everything at home and abroad. We, on the other hand, are supposed to unite all advantages. We are as great as the great powers, as free and happy as the small ones. If we are all this, and if the Blessed Reformation has made us all this, then the Blessed Reformation is very blessed indeed, and is the cause of much blessedness. It is *Beatrix* as well as *Beata*.

" In England indeed, if we understand by the Reformation the whole series of events which are commonly confounded under that name, it was only accidentally that the Reformation was theological at all. Henry the Eighth did little more than succeed in doing what Henry the Second had failed in trying to do; and Henry the Eighth had hardly any more serious thought of theological change than Henry the Second. The utmost he did was now and then to coquet with the enemies of his enemy. Patriotic men wished to get rid of a foreign authority and to correct manifest practical abuses in the Church. Amongst other things, they saw that the enormous wealth and power of the clergy, above all of the regulars, needed to be greatly lessened. There is no doubt that King Henry saw all this as well as any man. But he also wished to get rid of his wife anyhow, and he and his courtiers wished to enrich themselves anyhow. Through all these causes, the Papal authority was abolished, the monasteries were suppressed, the wings of the secular clergy were effectually clipped. To many no doubt all these things seem part of the Blessed Reformation; some, for aught we know, may think that they were all done by the Blessed King Edward himself. In the eye of history, all this is simply the consummation of what Englishmen had been striving after for ages. The motives of many of the actors in those days were doubtless very base; many of the means taken, many of the incidents of the change, were shameful and wicked. But the changes

themselves did nothing but carry out fully what English legislation had long been aiming at partially. Henry the Second had tried to accomplish too much, and he had therefore broken down. But, from Edward the First onward, there was hardly a reign in which some statute or other was not passed aiming in the same general direction as the statutes of Henry the Eighth. Ecclesiastical corporations too had been freely suppressed in all ages, whenever the needs of the kingdom called for such suppression. The suppression of the alien priories under Henry the Fifth was the great example, but it was not the only one. What was peculiar to the suppression under Henry the Eighth was its far more sweeping extent, and the details of unbridled rapacity and sickening desecration with which it was carried out. But the movements in both these directions, spread over so many centuries, were begun, continued, and ended without any thought of theological change. The theological change came later, under the Innocent and Blessed Prince.* Another theological change back again came under his Bloody sister. Edward and Mary alike were sincere religious zealots, and made their theological changes from real motives of religious duty. Both these reigns of theological change were reigns of manifest national decline. England, great under Henry, became small under Edward and Mary. She became great again under Elizabeth. But Elizabeth was only accidentally a theological reformer. Her real inclination was to the system established by her father, to Popery without the Pope; she was Protestant only because it was found that Popery without the Pope could not stand, and that it was needful to be one thing or the other. In that age the European position of England rose and fell, as it has risen and fallen in earlier and in later times, according to the character of its rulers. Fluctuations of this kind have gone on from the earliest days of our history. The difference between the

* [Such was the style in those days, perhaps it is still, of the popular canonization of Edward the Sixth.]

England of Æthelstan and the England of Æthelred is essentially the same as the difference between the England of the elder Pitt and the England of Bute and North.

The Reformation in short was no one event, no special outpouring of divine grace, as we may fairly believe the first preaching of Christianity to the English to have been. We may indeed be sure that, as England became more and more closely connected with the continent, its conversion to Christianity would have followed sooner or later; but, as a matter of fact, the conversion was begun by the preaching of one company of strangers. The Reformation was nothing like this. It was a political movement which incidentally became a theological one. Let no one think that we undervalue even its purely theological aspect. There can be no doubt that the Protestant theology suits a free people far better than the Roman Catholic theology does. No mistake indeed can be greater than to look on the Reformation as the establishment of freedom of thought or of religious liberty. Its immediate result was simply to put one intolerant system in the stead of another. But a system founded on a revolt was itself more open to revolts, and in this indirect way religious liberty was the result of the Reformation. The truth is that men's minds were stirring; they were busy inventing printing, discovering continents, ransacking the remains of forgotten ages. At such a time people could not keep quiet; one change led to another; the changes were far from being everywhere in the same direction; but there were changes of some kind everywhere. Here in England, we finished our work with the Pope which we had been at so long, and we began to devote our superfluous energies to colonizing America instead of to conquering France. All these things were not the results of theological change, but they and the theological change were joint results of the same causes. A Teutonic nation dwelling in an island, we had advantages above all other nations. We were called on to be free, enterprising, dominant by sea. We had begun to

be all these things long before any theological change was thought of. We did not become free, enterprising or dominant, because we had embraced certain theological dogmas. We rather embraced certain theological dogmas because we instinctively found them to be those which best suited a free, an enterprising, and a dominant nation.

Now, laying aside all mere exaggerations of national vanity, it really does seem that England does combine a greater number of advantages of different kinds than most other nations, and that it has, on the whole, done so pretty steadily for a long time past. We never threatened all Europe as the Spaniard and the Turk once did; but then we have never utterly broken down like the Spaniard and the Turk. Our greatness has not been the transitory greatness of Holland or Sweden, nations which have fallen from a great European position, and have found it prudent to withdraw within their own borders. We have not, like the House of Austria, lived from hand to mouth, getting on somehow by dint of hopes, memories, titles, and accidents. We have kept up our external importance, not quite, but nearly, as steadily as France, and we flatter ourselves, not without reason, that we have got on much better than France at home.

It is very easy to say that all this is owing to the Blessed Reformation. It is just as easy to say that it is owing to causes altogether different. On any showing we must not look at England, or at the United Kingdom, apart from the rest of Europe. Lord Macaulay, in a well-known essay, pointed out the general advantages of the Northern or Protestant part of Europe above the Southern or Roman Catholic part. Admitting this as generally true, perhaps less conspicuously true now than it was when Lord Macaulay wrote, still the question arises, Is the superiority owing to its being Northern or to its being Protestant? *Prima facie* one cause is as likely as the other, and it is unfair to assume either as the one necessary cause without examination. The battle of the two religions, is perhaps

best fought on a narrower field. If, as may be seen in so many parts of Germany and Switzerland, communities are found side by side alike in blood, language, and political constitution, but differing in religion, here is *prima facie* the best opportunity for testing the practical working of their several religions. Yet even here the comparison is not always quite fair. We are constantly told to contrast the prosperity of Protestant Vaud with the poverty and lack of progress in Catholic Wallis, as if the signature of all the articles in the world could get the same amount of wealth out of the soil of Wallis as out of the soil of Vaud. A comparison between Zürich and Luzern would be much more to the purpose. Still difficulties attend the comparison on such a narrow field as this, simply because it is such a narrow field. We are constantly tempted to make a grand and broad inference, and to neglect all kinds of local circumstances, which nevertheless may have just as much to do with the matter as any more general theory. But returning to the wider comparison of one large part of Europe with another large part, neither the explanation grounded on difference of religion nor the explanation grounded on difference of race or climate has any real *prima facie* claim to preference as against the other. The question cannot be decided in an offhand way on either side; it calls for a much deeper examination. Perhaps on the whole we may be inclined, not so much to look on the prosperity of England, or of any other Protestant country, as the result of its religion, as to look on the religious change of the sixteenth century as merely one among several efforts by which that prosperity was won.

It has been said, over and over again, that the Reformation was a Teutonic movement, and the saying is perfectly true. The Protestant nations and the Teutonic nations of Europe so nearly coincide that the exceptions either way manifestly are exceptions. Some people in Germany and Switzerland of the purest Teutonic blood and speech still cleave to the old religion. On the other hand, the Romance-

speaking cantons of Switzerland are mainly Protestant. But these exceptions plainly are exceptions, and in many cases they can be accounted for by special causes. Catholic Germany, for instance, was largely made so by the Catholic reconquest under Jesuits and Austrian Emperors. As a rule, the Teutonic nations are Protestant, the Romance nations are Catholic. The appendages, as we may call them, to Western Europe, nations like Poland and Hungary which are neither Romance nor Teutonic, hardly affect our argument; but on the whole they are Catholic. That is to say, the Reformation, as a Teutonic movement, though it affected both Poland and Hungary, was not finally successful in those non-Teutonic lands. So it affected both Spain and Italy, and France, we need not say, infinitely more. But in Spain and Italy it was easily stamped out, and in France it yielded in the long run. In most of these countries it was a purely theological movement. A few Spaniards and a few Italians changed their theological belief, and that was about all. In the Teutonic countries, above all in England, the case was widely different. In England, before all other lands, the movement was strictly national. It is easy to scoff at the way in which the nation followed its rulers backwards and forwards. But it did follow them, and for the more part willingly. The nation, as a whole, went heartily with Henry in getting rid of the Pope. As to the dissolution of the monasteries and the change of the services men were more divided. And they were divided locally; each measure caused a local insurrection, but only a local one. When Mary restored the old ritual, we may be pretty sure that she carried the majority of her people with her. It was the restoration of the papal authority, followed by a persecution which fell mainly on the poor, the lame, the halt, and the blind, which distinctly turned the English nation the other way. One may doubt whether the intermediate system of Henry could have stood in any case; but the reign of Mary made it hopeless.

XV.

CARDINAL POLE.*

Lives of the Archbishops of Canterbury. By Walter Farquhar Hook, D.D., F.R.S. Volume III.—Reformation Period. London: Richard Bentley. 1869.

WE have looked forward to this volume of Dean Hook's series with more than usual interest. The Life of Pole was, as it were, cut out to make a crucial test for a biographer of Archbishops. We open the volume with our ears still remembering the panegyric of Macaulay on 'the last and best of the Roman Catholic Archbishops of Canterbury, the gentle Reginald Pole.' Without professing to determine whom Lord Macaulay may have meant by 'the Roman Catholic Archbishops of Canterbury,' we feel that the praise is meant to be high, and we suspect that it is exaggerated. If by 'Roman Catholic Archbishops,' Lord Macaulay meant all the Archbishops from Augustine to Pole, or even from Lanfranc to Pole, we need not stop to show that it is exaggerated. On the other hand, we remember how unpleasant a figure Pole cuts in the sixth volume of Mr. Froude, and we long to see what Dr. Hook will make of him. In dealing with a much earlier part of Dr. Hook's history we held that he had failed to do justice to Anselm, and that he had succeeded in doing justice to Thomas. And the reason we took to be that

* [In reprinting these articles on subjects connected with the last essay, I have left them in their original shape of reviews, leaving out only a few points of criticism in detail. Nor have I attempted to work in anything from later writers. In the case of Pole, Mr. R. W. Dixon has lately gone over the same ground.]

to do justice to Thomas needed a greater and more conscious effort, and that the effort had therefore been made. It seems at first sight that it calls for an effort of the same kind on Dr. Hook's part to do justice to Pole. But we are not sure that the cases are strictly parallel. Dr. Hook's strong belief in the historical Church of England sometimes draws near to the verge of a *doctrinaire* theory, but it effectually helps him to deal fairly with the particular characters of the sixteenth century. The Roman Catholic partisan and the Protestant partisan are bound to one side or the other. Such an one may try to be fair; he may avoid actual misrepresentation; but he cannot help colouring; it is a point of honour with the one to make out the best case for Pole, and with the other to make out the best case for Cranmer. Dr. Hook would say that each alike writes in the interest of a sect. At all events no such necessity is laid upon himself. In his eyes Warham, Cranmer, Pole, and Parker, are all alike Primates of the historical Church of England. Each administered the law of this Church and realm as he found it. Dr. Hook may hold the law of this Church and realm to have been better at one time than at another; he may hold that this Archbishop administered that law with more of wisdom and righteousness than another; but to none of them is Dr. Hook bound as his own immediate representative in opposition to the others. The four lawfully succeeded each other in the same office, and Dr. Hook's part and lot in each of them is equal. Now this view may to some seem stiff and formal; it may seem to make too much of the official acts of Kings, Parliaments, and Convocations, and too little of the moving spirit which underlay all of them. But, however this may be, Dr. Hook's position is one which distinctly makes it easier to deal fairly with individual characters. In his view Cranmer and Pole are not the heads of two opposing sects, under the banners of one or other of which every man must enrol himself. To him they are simply successive chief officers of the Church of

which he is himself a member. He can therefore afford to judge each of them alike without any fear of consequences to his own position. Of the four Primates whom we mentioned, if Dr. Hook were to deem himself in any measure bound to any one of them above the rest, it would clearly be neither Cranmer nor Pole, but Parker. Parker might be looked upon as the representative of the existing settlement of the Church of England, while Cranmer and Pole represent in Dr. Hook's eyes successive past states of things, each of which was lawful at the time, but both of which have been lawfully abolished.

On the whole Dr. Hook's estimate of Pole does not differ very widely from Mr. Froude's; at any rate he comes much nearer to Mr. Froude than he comes to Lord Macaulay. We mean with regard to the great question as to Pole's share in the persecution under Mary. It is really wonderful how every fresh inquirer into these times does something fresh to sweep away the old vulgar tradition which threw all blame on the shoulders of Bonner and Gardiner. In Dr. Hook's pages a large share of the guilt of the persecution is transferred from Gardiner to Pole. Nor must we not forget how deeply the lay statesmen of Mary's reign were concerned, and above all the first Marquess of Winchester. And, in his view, Pole's persecution assumes a very hateful character. He did not persecute either as a statesman or as a fanatic. Mary's share in the persecution was undoubtedly that of a sincere fanatic. Gardiner, so far as he persecuted at all, persecuted as a statesman. He believed that the threat of persecution, the actual execution, if it proved needful, of a few of the chiefs of the party, would at least silence the heretics, if it did not convince them. It seems to have been Pole more than any one else who must bear the blame of the great numbers of utterly obscure persons who were sacrificed. And to what were they sacrificed? They were sacrificed, according to Dr. Hook, to keep up Pole's own character for orthodoxy. Pole, a fanatical believer in the Papal

supremacy, was Lutheran, or Protestant, or whatever it is to be called, on some points of theological dogma, especially that of Justification. His system might almost be called Protestantism with the Pope, as the system of Henry and Gardiner was Popery without the Pope. Dr. Hook explains that, up to the later sessions of the Council of Trent, this position involved no formal departure from Roman orthodoxy. But it was a position which might easily bring a man under suspicion. And indeed Pole did fall under suspicion of heresy more than once in his life. In the days of Paul the Third, his known theological views and his leniency towards the Reformers caused his orthodoxy to be called in question. And in the days of his personal enemy Paul the Fourth, Pole, Cardinal, Legate, Archbishop, chief adviser of the Queen of England and reconciler of her realm to the Roman obedience, was actually made the object of a formal charge of heresy, which charge of heresy was never formally withdrawn. It was, so Dr. Hook holds, to clear his own character for orthodoxy, to wipe out all suspicion of heretical pravity, that Pole became so eager a destroyer of heretics as to go beyond all English precedent, and to order his officers to search for heretics. To do this, simply to keep up his own reputation, is far more hateful than either the fanaticism of Mary or the cruel policy of Gardiner. Yet we must not forget that Mary, Pole, and Gardiner were all of them simply executing the law as they found it, a law which had just before been sharpened for their use by the ready zeal of the two Houses of Parliament. The question in any case was, Shall we interfere to mitigate the severity of the law? Pole, hitherto known as a man of gentle and lenient conduct, as soon as his own ecclesiastical reputation was at stake, allowed a crowd of his fellow-creatures to die for his own good name. Yet, after all, in so doing he only let the law take its course, when he might have interfered to soften it.

These bloody doings towards the end of Pole's life form

a strange contrast to his general disposition and conduct. They form a contrast also to the other works on which he was engaged at the time, the instructions which he put forth for his clergy, and the devotional books which he put together for his people. In both these last, allowing for those points on which Pole's notions differ from ours, it is hard to see anything but good sense and sincere piety and benevolence. The Popery, if we may so call it, of Pole's Primer is of the mildest kind; it is something widely different from the rampant Popery of modern converts and Ultramontanes. There is no foreshadowing of the worship of Saint Joseph or of any other of the strange devotions of later times. The *cultus* of the Virgin does not get beyond a simple 'Ora pro nobis.' The devotions addressed to the Saviour are fervent, and what people would call evangelical. But while all this was going on, the burnings, more inexcusable in Pole than in any other persecutor, were going on too.

Pole was a man whose destiny placed him in a position too high for his abilities. To trace him through his career both in Italy and in England is exactly the sort of task which suits Dr. Hook, with his keen insight into human nature and with that tone of good-humoured sarcasm of which he is so fond. Without any claim to be called the best of Roman Catholic Archbishops or of any other large class of men, Pole was a man whose faults were, on the whole, decidedly outweighed by his virtues. As a controversialist his invective was savage, and as a ruler he showed in the last days of his life that he could even bring himself to be cruel. But his natural disposition was eminently gentle and conciliatory, and we may be sure that, whenever he left the path into which that natural disposition would have guided him, he sincerely believed that he was doing God service. His private life was blameless, and how amiable his private character was is shown by the warm and lasting personal friendships which he formed with so many of the best men of the time. But

he was weak, vain, and passionate; he vastly overrated his own powers and his own importance, and he was for ever seeking the management of affairs which called for a much stronger hand than his. As a statesman and diplomatist he utterly failed. Men like Charles the Fifth and his ministers soon saw through him, though the Emperor seems always to have had a kindly feeling for him personally. Like exiles in general, he misunderstood the feelings of the country from which he was banished, and deluded others on the subject till he was gradually found out. And besides the general tendency of exiles to overrate themselves and their influence and to forget changes which have happened in their absence, Pole was specially led astray by over-valuing his own hereditary position. This last is a curious point, and one on which it may be well to speak a little more at length.

One point in which Reginald Pole fancied that he held a more important place in the eyes of Englishmen than he really did, was that he looked on himself as a prince, as he seems to have been looked on as a prince in foreign lands. But Englishmen had as yet hardly learned to take in the idea of princes at all, and they certainly did not reckon Reginald Pole among the class. He was the son of the daughter of Clarence, the son of the last Plantagenet. But his father was only a private gentleman, and his distant and doubtful chance of succession to the crown was far from giving him the position which modern etiquette would possibly give to the second cousin of the sovereign.* Henry the Eighth acknowledged Reginald as a kinsman, and provided magnificently for him without any cost to himself. He designed him for the highest honours of the Church, and, on the strength of what he was to be, he loaded him with ecclesiastical preferment while still a layman. But Henry

* [When this was written, it had not been ruled that the direct descendants of a sovereign, if by female descent only, may have only the precedence due to them by birth on the father's side. Their claim to the crown is of course in no way barred.]

was slow in acknowledging the claims of the family, even by such an act of justice as restoring to Pole's mother the estates and honours to which she was entitled by female succession. And it certainly never seems to have come into Henry's head to show any favour to the scheme which was the dream of Pole's life till within its last four years, the scheme of a marriage with the Lady Mary. How far Queen Katharine may have encouraged such hopes is another matter. Dr. Hook has drawn an eminently characteristic and by no means improbable picture of the relations between her and the Countess of Salisbury on the subject. It may have been, as he suggests, an event which, if it so happened, would have given the Queen a certain satisfaction, but which she felt in no way inclined to labour to bring about. But Pole never gave up the thought till Mary's marriage with Philip put an end to all such hopes. It was clearly this hope which made him, holder of ecclesiastical benefices and devoted to ecclesiastical studies and objects, forbear so long actually to enter into holy orders. Dean of Wimborne and of Exeter as he was, Pole did not receive the tonsure till he was made a Cardinal, and he did not take priest's orders till he was named to the archbishopric of Canterbury. This long-continued dream illustrates his character. One cannot suppose that the Cardinal was, in any ordinary sense, in love with the Princess, whom he never saw for many years. He would no doubt have said, and said truly, that it was only with the view of promoting the Catholic cause in England that he continued to wish for a marriage which in his younger days would have been less grotesquely incongruous. But why should he have dreamed of this particular way of promoting the cause, when to promote it, as he did in the end, as Legate or Archbishop, or even as Pope, would seem so much more naturally in his line of life? He had doubtless brooded all his days on his royal descent, perhaps with the feelings of one who felt himself the representative of York against Lancaster, and

who forgot that Henry the Eighth in no way represented Lancaster and was a nearer representative of York than himself. The grandson of Clarence was eager to do what he could for the cause of the Church in England; but while everything obviously prompted him to serve her as one of her ministers, his own ambition was to serve her as a nursing father, as a king, or at least as a queen's husband. Whatever other motives may have combined, no doubt these utterly vain fancies helped to make him refuse the archbishopric of York at an early stage of his life, and to make him in later days throw away his chance of the Popedom.

And yet it was to this man, who so utterly miscalculated his powers and his position, who failed so hopelessly in all his attempts at statesmanship, who was through life the tool of men craftier than himself, that a mission fell such as never fell to any other mortal. From Pole's point of view no exaltation could be so great as when it became his duty to pronounce the solemn absolution of his repentant country. Others had seen kings standing at their gates or grovelling at their feet; but Pole alone received the submission of a nation. He alone among men ever saw the people of England, represented by the Lords and Commons of England, kneeling at his feet as his penitents. Our feelings, both national and theological, are so offended at the bare notion that we find it hard to take in the full sublimity of the scene as looked at from the papal point of view. If we can put ourselves for a moment in Pole's position, we can understand the mingled feelings with which he went—with a demeanour worthy of the occasion—through a duty the like of which has fallen to no man before or since.

The conduct of Pole, whatever else we may think of it, is for the most part so strongly marked by honesty of purpose that one is rather surprised to find Dr. Hook speaking of lack of sincerity as one of his failings. No one would apply such hard words to him because he talked,

in a half sincere, half conventional way, of his wish to give up his mission to England and to retire into private life, and then, when he had a serious offer of being relieved from his duties, found out that he was quite able and ready to discharge them. It is more damaging when Dr. Hook produces two letters from Pole to Henry the Eighth, from which it appears that Pole was actively employed in bringing about the judgement of the University of Paris in favour of the King's divorce. This he afterwards, when he wrote his book *De Unitate*, strongly denied. Now Dr. Hook allows that, if Pole, at that time, had acted on the King's behalf in the matter of the divorce, there would have been nothing discreditable or inconsistent in so doing. The question is, whether Pole's later denial was a wilful falsehood. It does not seem to us that it need be. It is wonderful how easily people can, without any conscious lying, forget things which they wish to forget. Another charge against Pole, which certainly does not seem in harmony with other parts of his character, that of love of money, appears to stand on better grounds. He wished to hold the see of Winchester with that of Canterbury, and when that was not allowed, he made White, who was appointed to the bishopric, pay him a thousand pounds yearly, a sum which in those days must have been a large part of the revenues of the see.

Dr. Hook has, in this volume, been carried a long way out of the usual field of his studies, among the scholars and reformers of Italy in the sixteenth century, and he has produced a clear and interesting picture of the society which gathered around the banished Cardinal. His present volume has also more connexion than usual with the general history of Europe. But we are not sure that, on the whole, it quite equals the more purely English interest of the lives of Warham and Cranmer. And the mechanical arrangements of the book become more perplexing than ever. There is something very grievous about a volume consisting of one unbroken chapter, and headed by a table

of contents which does not refer to pages. And in a narrative in which close attention to chronology is of special importance, it is disappointing, when we cast our eye to the margin in order to learn the exact date, to see only the well-known fact, repeated in every page, that Pole was Archbishop of Canterbury from 1556 to 1558. And we would call Dr. Hook's attention to one or two points in his book. Does he not overrate the exploits of the English contingent at the battle of Saint-Quentin? And is his law right when he says that, if the Chapter of Canterbury had failed to elect Pole, they would have been liable to a *præmunire*? Surely, after the statutes of Henry and Edward were repealed, and before Henry's statute was revived by Elizabeth, the election of bishops was left in the same uncertain state in which it was before the statute of Henry.

But we heartily congratulate Dr. Hook on his book. It is a great matter to write of such a time in the impartial way in which he does throughout. Few men could write the life of Pole without writing as partisans of one side or another. Dr. Hook writes in the spirit of the *congé d'élire* and letter missive of Elizabeth which recommended Matthew Parker for election to the see left void and desolate by the death of the Most Reverend Father Reginald Pole. Those documents are the embodiments of that historical continuity of the Church of England which it is the great merit of Dr. Hook's work clearly to set forth. The mere fact that Pole and the Pope acknowledged the orders conferred, not only under Henry but under Edward, is a fact of the highest moment.* It has its strictly theological bearing also, but

* [I suspect that I have here set my foot in a hornet's nest. I do not claim the knowledge of a specialist on this particular period; and I had rather not speak over positively on a point which seems to admit of controversy. But I gave some attention to the instances bearing on this point which comes in Mr. Dixon's History; and it struck me that the rule in Mary's day was a little fluctuating. One can understand that it might be expedient sometimes to assert the invalidity of the ordinations of Edward's reign, and at other times silently to accept them.]

it is likewise of no small importance as against those who cannot be made to understand that, in law and history, there is no break between the Church of Warham and the Church of Parker, and that there is no special allegiance due either to Cranmer or to Pole beyond any of the Archbishops before or after them.

XVI.

ARCHBISHOP PARKER.

Lives of the Archbishops of Canterbury. By Walter Farquhar Hook, D.D., F.R S. Volume IX.—Reformation Period. London: Bentley and Son. 1872.

THE volume which Dean Hook now gives us contains, like the one which went before it, a single Life, but a Life of great moment in the series which he has undertaken. The last volume contained the Life of Reginald Pole; the present contains the Life of Matthew Parker. Parker, as Dr. Hook several times tells us, was not a great man; but he held a great position in a most important time, and his personal character was certainly not without influence on the course of events. It was in his time, and in a large degree by his means, that the Church of England finally put on its present shape. He and the mistress whom he served embody, more than any other persons, the position which that Church finally took up at the end of a period of endless shiftings to and fro. If 'the Reformation' happened at any particular time, it certainly was under the reign of Elizabeth and under the primacy of Parker that it did happen. The first Primate of All England appointed after the final throwing off the authority of the see of Rome, the first who was consecrated according to a reformed ritual in the English tongue, Parker eminently represents the new state of things which was then finally established. But he no less eminently represents the continuity of that new state of things with the old. The *congé d'élire* under which Parker was elected Archbishop is a very speaking document. It does not contain a word to imply that any great revolution was going on, least of all

that any old Church was being pulled down or any new Church set up. Everything bears the stamp of antiquity. The Queen issues the document by virtue of her 'fundatorial' powers, powers which we may conceive at pleasure as being derived from Æthelberht or from her own father, but which at all events were possessed, and exercised by Mary in the case of Pole, just as much as by Elizabeth in the case of Parker. It sets forth that the metropolitan church of Canterbury, 'by the natural death of the most reverend father and lord in Christ, the Lord Reginald Pole, Cardinal, the last Archbishop thereof, is now vacant and destitute of the solace of a pastor,' and the Dean and Chapter are required to 'elect such a person Archbishop and pastor who may be devoted to God and useful and faithful to us and our kingdom.' Of course it is easy to say that all this is mere legal formality, in no way representing the real state of the case. The *congé d'élire* does not bring out the fact that there was anything unusual about the circumstances of Parker's election, though they undoubtedly were very unusual. But the point is that, though the circumstances were unusual, they still were not such as involved any change in the usual form of such a document. And this was in itself something. The fact that Parker was not, in the eyes of any one concerned, appointed to any new office in any new Church, but was simply chosen in regular order to fill a vacant office in the existing Church—that Pole was still, after the breach with Rome, described as 'the most reverend father and lord, the Lord Reginald Pole, Cardinal,' and that the church of Canterbury was said to be by his natural death 'vacant and destitute of the solace of a pastor'—is the legal expression of the legal and historical continuity of the new state of things with the old. We may even conceive that the document was studiously so drawn up that it might in the clearest way express that continuity.

Now all this belongs strictly to the domain of history and law, and does not trench at all on the domain of theology

proper. The purely theological question is, Did the consecration of Parker or of any other bishop endow him with real spiritual powers which, without such consecration, he could not have possessed? Was it of any real importance to men's souls that an order of men so consecrated should be kept up? With questions like these history proper does not meddle at all. It does not even search very minutely into the personal belief of Archbishop Parker, or of Queen Elizabeth, on such points. But history is concerned with the facts that, whatever were their exact views as to the nature of the episcopal succession, whether they did or did not think it necessary for the existence of a Church, they at least thought it desirable for the good order of a Church, and that they acted in such a way as to make, not the greatest but the least, breach possible between the new state of things and the old. We may be pretty sure that, whatever the Queen thought in her own mind, her prelates and statesmen did not look on what divines call the 'Apostolical Succession' as something absolutely essential to the being of a Christian community. The position which they took with regard to the Reformed Churches on the Continent, the occasional admission of men who had had only Presbyterian ordination to offices in the English Church, makes this pretty plain. At the same time, men who insist on this point sometimes forget that it is possible to hold as high a view as any one likes of the Christian ministry, and yet to hold that the office may be conferred by presbyters as well as by bishops. Exalted views about the priesthood and a belief in the sole ordaining power of bishops do commonly go together, but they are in no way logically tied together. But what really concerns us in the matter is that those who ordered things in Elizabeth's reign at least did not look on the rites of consecration and ordination as superstitious and ungodly, and that they thought it worth taking a good deal of pains to preserve, in fact and in form, the unbroken succession between the new state of the Church and the old.

All these are simple facts; the question whether Elizabeth or Parker or any else did rightly or wisely in doing what they did is quite another matter, and a matter which we gladly leave to theologians. The question of the spiritual succession is for them; it is the outward succession, the outward continuity between the Church before Parker and the Church after him, which is a matter of law and history, and with which alone we have to deal. It is not always easy to steer clear of theological quicksands on one side or the other. The strictly impartial historian, who simply sticks to the historical facts, is liable to be assaulted on both sides. In acknowledging the historical fact he may possibly offend those who attach spiritual importance to it, because, while going so far along with them, he declines to go further. On the other hand, it is equally likely that he may offend those who are so fiercely set against the theological doctrine that they will hardly endure the historical fact, and are stirred up to wrath at its statement, as if it involved the theological position which they dislike.

We say all this, because of the exact degree to which, in considering the present volume and the time with which it deals, we can keep company with Dr. Hook. Our facts and his are pretty much the same; but we look at them from a point of view somewhat different from his. What to him is of importance theologically is to us of importance historically. It is of great importance to Dr. Hook to show that the consecration of Matthew Parker was a good and valid consecration. The fact one way or the other does in his view make a real difference in the theological position of the English Church. The old dispute about Parker's consecration really involves three questions. First, Was there any formal ceremony of consecration at all, in opposition to the Nag's Head story? This is purely a question of fact. Secondly, Was the ceremony which actually took place such as to be a valid consecration of a bishop? This is a question of canon law. With both these the historian is concerned; with the former in a greater, with the latter

in a lesser, degree. But beyond both lies the further question whether it really mattered to Parker or anybody else whether he was validly consecrated or not. This is a question of pure theology with which the historian does not meddle. History can look quite calmly on those who hold that, however regular the consecration may otherwise have been, yet, as being done without reference to the centre of unity at Rome, it must have been of no spiritual validity. It can look equally calmly on those who are so indignant at the notion of any spiritual validity at all as hardly to put up with the facts which may be construed as implying a regard for it. And it can look as calmly on those who believe that the spiritual position of the English Church, or of any of its members, does depend in some way on the fact or on the canonical validity of the consecration of Parker. Yet of the three classes it has in the present matter the greatest degree of sympathy with the third, simply because they are the class which has least interest in perverting the facts of history. Dr. Hook in the present volume repeatedly tells us that the object of Elizabeth and Parker was, not to establish a Protestant sect, but to reform the old Catholic Church of England. To Dr. Hook this position is of strictly theological importance. From our point of view we pass over the strictly theological bearing of the position as not coming within our range. But the historical facts implied in the position we fully accept. Nothing can be plainer than that it was the object of Elizabeth and Parker to preserve a legal and corporate continuity between the unreformed and the reformed Church of England. And we hold that Dr. Hook does a real service, not only to his own school of theology, but to the actual facts of history, by bringing this truth prominently forward.

It is much the same again with regard to another point, closely connected or rather in truth identical with this one. We hold that Dr. Hook does good service by pointing out, though perhaps he stops to point it out a little too often, that England was not, during the period which we call the

Reformation, divided into two parties, or rather sects, by a hard and fast line. The real state of the case will never be understood unless we take in the fact that for a long time the spiritual forefathers of the later Roman Catholics and of the later Protestant Dissenters were simply two parties within the one national Church, parties which severally held that reform had gone too far and that reform had not gone far enough. We do not always admire Dr. Hook's vocabulary of party-names; abstractedly the name of 'Anglo-Catholics' is in our eyes even worse than 'Anglo-Saxons'; for 'Anglo-Saxon' is a perfectly good word if it is only used in its right meaning, while 'Anglo-Catholic' seems to us to have no meaning at all. All that is to be said for it is that it follows the analogy of 'Roman Catholic,' and that since the early days of the Tractarian movement it has passed into vogue.* We are still more puzzled when Dr. Hook, if we rightly understand him, sometimes applies the name 'Protestant' in a special way to those whom elsewhere he calls 'Anglo-Catholics.' But, notwithstanding all this, Dr. Hook does a real service to historic truth by bringing out the true position of those who, at Elizabeth's accession, must have formed the great mass of Englishmen. Cecil undoubtedly went to mass during Mary's reign; and as Parker stayed in England, we conceive that he too must have done the same. Were they hypocrites, who, to save their lives or their goods, took part in a worship which they looked on as sinful and idolatrous? We see no necessity for thinking so. On Dr. Hook's showing, they would of course have wished to change the mass for an English service altered in many respects, but their feeling against the mass need not have been stronger than that which strong High Churchmen and strong Low Churchmen feel nowadays towards the doings of one another. That is to say, the dislike to the mass did not go so far as to oblige them formally to secede from the religious body in which the mass was practised.

* [In the nineteen years which have passed since this was written, the name seems to have pretty well gone out of use.]

This brings us to a question which is always suggesting itself in these times, namely the seeming inconsistency of those who went a long way in the path of change under Henry and Edward and then drew back under Elizabeth. Their course was perfectly intelligible; but it is plain that their scruples were not looked for by Elizabeth herself. When she offered the primacy to her own sister's minister Wotton, when it could even be believed that she offered it to Abbot Feckenham, it is plain that she hoped to carry with her what we may call the party of Thirlby and Tunstall. Of course the gap kept constantly widening. The enemies of change kept going back, the friends of change kept going onwards, till, long before Elizabeth's reign was over, there was a hard and fast line indeed between Papists and Protestants, or whatever we are to call them. When the Pope excommunicated the Queen of England, when Romish zealots taught that her murder was an act of religious duty, the breach was complete. The point to be borne in mind is that no such hard and fast line can be drawn at Elizabeth's accession.

And now for some notice of Matthew Parker himself and his biography as given by Dr. Hook. We fancy that Parker's name is less known to the 'general reader' than it should be. If 'the Reformers' or 'the Reformation' is spoken of, people at once cry out 'Cranmer, Ridley, and Latimer.' If this is simply because those three were burned, it is unfair to Hooper and Farrar; if it is because they are believed to have been specially prominent in organizing the Reformed system, Latimer at least has no business on the list. But, if the Reformation of the Church of England is to have the name of any particular bishop attached to it, it should clearly be that of Parker rather than any other. It was in his time that the Church took, after the shiftings of the reigns of Henry, Edward, and Mary, the form which, with little change, it has kept ever since. Perhaps if Parker had been burned, he might have

been as famous as the others. But then it was unluckily inherent in Parker's peculiar position that he should not be burned. If the Reformation was to be finally set up, it was needful that some people should live through the persecution to set it up. This particular duty fell to the lot of Parker and those with whom he acted. They could not be Marian martyrs, because they had to be Elizabethan Reformers.

Parker did not rise to any high place, or take any prominent part in affairs, till he had reached a mature time of life. In no man's life is it more needful to remember, what we all sometimes unconsciously forget, that men are not born at the time when their names first appear in history. Parker plays no important part in history till the reign of Elizabeth; but he was born in the reign of Henry the Seventh. Born in 1504, he was four years younger than his predecessor Pole, twenty years younger than his predecessor Cranmer. When those questions began to be discussed which led to the changes which he had a hand in bringing to their final shape, Parker was a young man at Cambridge, taking his degrees, being elected to his fellowship, being ordained deacon and priest. He thus saw the whole thing with his own eyes, and he saw the beginning of it at a time of life when men are apt to be carried away with the newest fashion of thought and teaching, whatever it may be. But there is nothing to show that Parker was one of those who suddenly or eagerly took up the new teaching. He was a friend of Bilney, and he attended him at his burning; but there is nothing to show that he shared Bilney's opinions, which, after all, were political or social rather than theological. He went on during the reign of Henry the Eighth, distinguished as a scholar and preacher, heaping together, after the fashion of the time and of times long before and long after, a number of smaller ecclesiastical and academical preferments, but more than once declining a bishopric. He was chaplain to Anne Boleyn, and he was chaplain to Henry after her death. As Queen's

chaplain, he was appointed Dean of the college of Stoke by Clare in Suffolk, a foundation of the house of Mortimer, but which had somehow got into a special relation to the Queens of England. This was in 1535. Nine years later, in 1544, he was chosen, after no uncommon fashion, by royal mandate, to the post in which, next to the primacy of all England, he did most to make himself remembered, the mastership of Corpus Christi or Bene't College, Cambridge. On his college Parker has left his mark, both in the increase of its foundation and in the creation of that precious library of which so many scholars have felt the benefit. Of his deanery at Stoke Dr. Hook gives a pleasant account; Parker seems to have used it as a sort of country house to withdraw to from Cambridge. But he did not treat it as a mere sinecure; by his preaching, by his care for education and the general well being of the neighbourhood, he seems to have won general respect and influence. On the establishment of secular canons at Ely, Parker received one of the first prebends, and he held, together or successively, several parochial benefices. But Dr. Hook remarks that all his preferments lay in one district, as if he were anxious that none should be altogether beyond his power of at least occasionally looking after it.

We know not whether Dr. Hook has any authority for the surmise that Parker declined any higher office than his deanery and mastership, because he designed to marry. But it is certain that he did marry, and that before clerical marriage was strictly legal. The time of his marriage with Margaret Harleston was significant; it was in June 1547, five months after the death of Henry the Eighth. There was now no danger in such a step, but clerical marriages were not formally legalized till the Act of 1549, and then somewhat grudgingly. This should be remembered when we come to the story of Queen Elizabeth's famous speech to Mrs. Parker years after at Lambeth; 'Madam I may not call you, Mistress I would not call you.' Of this speech Dr. Hook hardly brings out

the full force. The word 'Mistress' makes it uglier to a modern ear than it was meant to be. 'Mistress'—now cut short into 'Miss'—was, then and long after, the common title of an unmarried lady. The Queen's meaning in modern language would be, 'I cannot quite call you Mrs. Parker, and I don't like to call you Miss Harleston.' And we cannot wonder at this, when Parker had married before the law allowed him to do so, and when, years afterwards, as Archbishop, he found it prudent to have his children specially legitimated. And it is worth notice that there was no married Archbishop of Canterbury between Parker and Tillotson. Grindal and Whitgift, Abbot and Laud, were alike in that matter.

When the collegiate churches were first placed at the mercy of Henry, Stoke was saved by the intercession of his last Queen. But of course it fell, along with all kindred foundations, in the first year of the new reign. This suppression of colleges was a mere job, which, it should be remembered, Cranmer and Bonner withstood side by side. It is hard to see how Church or State was profited when the college estates passed from Parker and his prebendaries —teachers and preachers as they were, at least under him —to Sir John Cheke and Walter Mildmay, subject to a pension to Parker and, we suppose, to the other members of the college. The only thing to be said is that they might easily have fallen into worse hands. A few years after this Parker reached the highest preferment which he reached at this stage of his life, namely, the deanery of Lincoln. During this whole time he seems purposely to have kept himself in the background, and Dr. Hook quotes several letters in which he is pressed to take a more prominent part in the affairs of Church and State. Once or twice during Henry's reign he seems to have been suspected of heresy, but nothing was ever proved against him, and he went on through the reigns of Henry and Edward conforming without scruple to all successive changes, though Dr. Hook assures us that he preferred the First Prayer Book

of Edward to the Second. His name is twice mentioned in connexion with public affairs. At the time of Kett's rebellion Parker was at Norwich, and he was popular with the insurgents. On this Dr. Hook comments that 'it is further to be remarked, that through his preaching, and the preaching of his associates at Stoke College, this was the only place in which the Reformation was received by the common people without opposition, and, we may even say, with some measure of favour.' At any rate, Parker ventured to go out to Kett's camp at the Oak of Reformation, and to exhort the people to strive after a peaceful instead of a violent redress of their grievances. The other time was when John Dudley, Duke of Northumberland, came to Cambridge to proclaim Queen Jane. Parker seems to have trimmed; he supped with the Duke, but he did not afterwards come forward on either side, so that, when the tide turned in favour of Mary, he had, according to an obscure story, to fly from Cambridge in haste, when he fell from his horse and broke his leg. After the accession of Mary he was deprived of all his preferments, not however at once, but gradually, and to most of them he was allowed to name his successors. He remained in England during the whole of Mary's reign, and there is no evidence that he was in any way molested. In a passage which Dr. Hook marks with inverted commas Parker describes himself as 'living as a private individual,' and enjoying 'delightful literary leisure.' We do not doubt as to the fact, but we confess to be a little puzzled as to the language; for such phrases as 'private individual' and 'literary leisure' do not seem exactly to belong to the age of Parker. But the fact that Parker lived quietly through Mary's reign is worthy of all the importance which Dr. Hook gives to it. It seems not to have satisfied the class whom Dr. Hook speaks of as 'Protestant hagiologists,' who have invented divers persecutions for him. But it seems plain that he suffered nothing beyond the loss of his preferments. Dr. Hook takes this opportunity to enlarge in his usual way

on the state of parties at the time. With his classification of them we generally agree, though we wish that he would not talk about 'Mediævalists with Protestant proclivities.' And we do not understand when, after giving a generally correct, though perhaps a little exaggerated, picture of the secular clergy as accepting, and the regulars as rejecting, the successive changes of the Reformation, we come to the following passage:—

'Some of the Regulars, by assuming the character of secular priests, occasionally obtained possession of preferments in the Church; but these were exceptional cases, not noted by the historian.'

We really do not know how to reconcile this with Dr. Hook's own account, in his Life of Cranmer (vii. 23), of the way in which, on the reconstitution of the metropolitan church of Canterbury, a very large proportion of the members of the dissolved monastic body received prebends and other offices on the new foundation.

We have dwelled at some length on Parker's earlier life for more than one reason. It is important to see what manner of man it was whom Elizabeth picked out to receive the highest office in the English Church. The earlier life of Parker throws more light on this than the later. Elizabeth first offered the primacy to one or more men who had been actually employed by her sister. She then offered it to a man of known learning and singular moderation, who had never taken any extreme part, and whom her sister had not thought fit to molest further than by the loss of his preferments. This clearly points to a wish to change as little as possible. And this really proves more as to the character and objects of both the Queen and the Primate than the events of their actual administration. Circumstances made both of them go further in the way of change than either, if let alone, would most likely have wished. The middle position which Henry kept, and which Elizabeth no doubt wished to keep, could not be kept. Thirlby and Parker had once held the same position; the events of Mary's reign made that position an impossible one, and they parted

off in opposite ways. The moment when Elizabeth offered the primacy to Wotton, possibly to Feckenham, and, failing them, to Parker, marks the last moment when the middle position even seemed to be possible.

For this reason the early life of Parker, when he acted more directly according to his own opinions and feelings, is in some points more important than his administration as Primate when he had to act as circumstances made him act. And we also think that this earlier part is the better part of Dr. Hook's present volume. We somehow seem to care more for Parker in his deanery at Stoke and in his college at Cambridge than we do when he gets to Canterbury and Lambeth. One thing is that, though Dr. Hook's division of his volume into chapters is a great improvement on the volume of a single unbroken chapter which contain the life of Pole and Cranmer, yet he has divided them too much by subjects and too little by periods, so that we sometimes lose the chronological thread of the narrative. On the whole, we are not very sorry that we have run on so fast about Parker's early life, and still more about the important and often misunderstood position which he represents, as to leave us little space to talk about the actual events of his primacy. But in one point of his character, spreading over both periods of his life, we must join with Dr. Hook in doing him honour. Parker had very odd notions of the duty of an editor, but it is owing to him, more than to any other man, that there is anything to edit and anything to read about the early history of England. In this matter his biographer, who has had such opportunities of testing the value of his services, does him full justice. To the chief preserver and reviver of English historical learning we can even forgive that, in defending the independence of Canterbury against Rome, he partly rested his argument on the independence of the early British Church. Under a Tudor reign there was perhaps special temptation to do so. The worthiest monument of Parker is his college at Cambridge and its renowned library.

XVII.

DECAYED BOROUGHS.*

In times past the phrase of 'rotten boroughs' used to be a favourite weapon of political controversy. If we have not ventured to put the ancient formula at the head of this article, it is out of deference to the prejudices of our readers. They may by this time shrink from the phrase which used to be so stirring; for we believe that the adjective 'rotten'—except when it happens to be followed by the substantive 'Row'—is one of those words which are beginning to be thought unseemly, and to stand in some need of an euphemism. But, besides this, it is not political rottenness in itself of which we now wish to speak, except so far as it has to do with outward historical and physical rottenness. Boroughs politically rotten, boroughs whose rottenness has brought on them the punishment of political extinction, have still been living and even flourishing habitations of men. Bridgewater is a busy place, and Great Yarmouth is a busier, and even Saint Albans is not altogether a howling wilderness. We wish to speak rather of certain spots, once parliamentary boroughs, which have well-nigh ceased to be habitations of men at all. Rotten at one time politically, they are moreover 'decayed' physically. In some indeed decay has reached the full stage of physical as well as political extinction.

* [The state of things taken for granted in this essay is that which followed the Reform Bill of 1867. Many towns had lost their representatives, but the separate representation of a town was not the exceptional thing which it has become since.]

The boroughs whose political life has been put an end to by our successive Reform Bills naturally fall into two or three classes. When it is clear that a town does not possess that degree of relative importance in the general aspect of the country which gives it a fair right to parliamentary representatives of its own, it is not a matter of practical consequence how that state of things came about. If it is for the public good that the place should be disfranchised, or shorn of a member, or united to some other borough, it must be so dealt with, whatever were the causes which brought it into such a plight. But the historical investigation of those causes is often curious and instructive, and they are widely different in different cases. The rottenness of some boroughs was an incidental misfortune: the rottenness of others was the law of their nature. We might add that the rottenness itself was of two kinds; there was the rottenness of bribery and the rottenness of influence. There was the rottenness of those boroughs where electors, free to use their votes as they chose, chose to sell them for money. And there was the rottenness of those boroughs whose electors never thought of selling their votes for money, because they knew that their votes were not their own to sell. It is among this last class that we have to look for our boroughs which are not only politically rotten but physically decayed, and the various causes of their decay are well worth studying and comparing with one another.

First of all, there is a wide distinction between those boroughs which, when they were first called upon to return members, had a fair claim to do so, and those which were rotten from the beginning, and which were enfranchised simply in order that they might be rotten. The Parliamentary existence of the first class commonly dates from the thirteenth century, that of the second class from the sixteenth. We may be sure that neither Earl Simon nor King Edward summoned members from any

particular borough with any underhand views as to the way in which the parliamentary franchise would work in that borough. To say nothing of the character of the two men, such designs are quite foreign to their times and their position. The beginnings of all institutions are commonly honest; it is only at a later stage that ingenious men find out that it is possible to work them corruptly for their own ends. If there was any dishonest dealing in early times, it was on the part of local officers, not of the general government. The Sheriff of each county had to cause two citizens or burgesses to be chosen by each city or borough in his county, and, whatever we say of cities, he seems to have had a good deal of license as to the places to be understood by the name of boroughs. In the days of our early Parliaments, the places which sent members to one Parliament were by no means always the same as those which sent members to the next. We know enough of the matter to see that, in days when constituencies paid their representatives, some towns looked on representation simply as a burthen, while others had sense enough from the beginning to see that it was a privilege. In such a state of things the *favor Vicecomitis* went for something, and we find one place taken and another left, according to what, at our distance of time, seems no certain rule. But on the whole we may say that the places which were summoned to send members to our earliest Parliaments were places which at the time had a fair right to be summoned. That all alike, great and small, sent two members is in no way wonderful. The notion of apportioning members to population is the subtlety of a far later age; the real reason for sending two members seems to have been that each might act as a check upon his fellow, and hinder him from voting contrary to the interests and wishes of their common constituents. As long as the Commons were young and weak, as long as the King could safely refuse the wishes of his people, he had no mind or motive to seek to hinder the people from freely telling him what their

wishes were. It was when Parliaments came to be at once powerful and subservient, when each member began to be a person of importance, that the days of influence and management began.

It is plain that throughout the Tudor reigns, the sovereign looked with no small care as to the character of the persons chosen to seats in the Commons House of Parliament, and they used more than one way of shaping the House to their purposes. In the days of Henry the Eighth came the beginnings of a system of Government interference with parliamentary elections almost as carefully organized as it was under the late state of things in France. Later on in the Tudor times, we find places called on to send members which, if they had ever been of any importance, had certainly ceased to be so then, and which we must conceive to have been enfranchised simply that they might send members who were likely to be under the influence of the court, or of persons on whom the court could rely. In the case of the older boroughs, a good many of them were rightly swept away by the first Reform Bill, but we can commonly see by what causes it came about that their disfranchisement became a matter of justice. It is an instance of the law that, while in France the towns which are of importance now have mostly been of importance from the beginning, matters in England have for the most part run an opposite course. The towns which were of the first rank in early times have sunk into the second or third class, or even lower. Winchester, Exeter, Lincoln, Chester, York, even Bristol and Norwich, have all been utterly outstripped by younger rivals. No one would think of disfranchising any of these towns; still, among them all, Bristol is the only one which can assert the feeblest claim to rank now as a city of the first class.* Most of them are positively far greater than they were

* [Their fate under the last changes of all are worth studying. There is something new indeed in Exeter and Oxford city each cut down to a single seat, while London itself keeps two only.]

anciently, but relatively they have fallen back. In other cases, places which were once of great military or commercial importance have more than relatively gone back. In many cases they have positively decayed; in some cases they have been wholly forsaken. But the point is that they were places of real importance once, and that, when they were first called upon to return members, they were called upon to do so in perfect good faith.

The case is very different with the boroughs which were called on to return members for the first time in the sixteenth century. It can hardly be doubted that they were enfranchised expressly in order to be corrupt. When we find that places from which no one had thought of summoning members at any earlier time, and from which the right of sending members has been taken away in our own time, were first called on to send them in the days when the influence of the Crown was at its height, the presumption seems complete. The Tudor sovereigns fully understood the advantage of doing everything regularly by parliamentary authority; they wished therefore to have Parliaments which would serve their own purposes, and one means of getting such Parliaments was to enfranchise boroughs which were pretty sure to send subservient members. It is at this time that many of those Cornish boroughs which were a byword at the time of the first Reform Bill first obtained Parliamentary representation. The fact is of itself enough to prove our case. There could not have been any honest motive for calling on such places to return burgesses. It does not at all follow that the members for Cornish or other rotten boroughs were always subservient. As the influence of the Crown lessened again, the choice of members for such places became a matter of private influence or of mere bargain and sale. The man who had bought his seat, whatever we may say of his position in other ways, was at all events independent of everybody.

We have been led into this train of thought by lately

seeing a decayed borough in its bodily presence. Such places are always curious sights. It is not perhaps fair to speak of Kenfig, because the Parliamentary rights of Kenfig are still untouched.* For the same reason we ought perhaps not to speak of Winchelsea, because, though it no longer returns distinct members of its own, it is included within the boundary of another borough. But Winchelsea is not the less, from the point of view of a municipal and parliamentary antiquary, one of the most interesting places in England. The new town of Winchelsea, moved from its earlier site in the days of Edward the First, was meant to be a great borough and a great haven, but it never became such. Kingston-on-Hull grew; Winchelsea did not. It is most striking to see the preparations which were made for what was to be; the walls which fence in nothing, the gates which lead to nothing, the large and splendid church begun but never finished,† the streets laid out in regular order according to the plan always followed in the foundations of the great King, but streets which have never yet grown into the form of houses. The one thing which was finished, the Friars' church, is now a ruin; a country house with its usual appendages stands within the walls of the town, and all that has come of the great borough which was designed is a small village. Why Winchelsea should still form part of a parliamentary borough is perhaps not very clear; but that it does so is not more wonderful than that large rural districts should be included within the boroughs of Cricklade, Shoreham, and others. Still, as it has lost its separate representa-

* [The very name of Kenfig may be puzzling to some. It is a small place in Glamorgan which, when this paper was written, was contributory to Swansea, and of which I had had to speak once or twice. It seemed to consist of very little besides a town-hall over a public-house, where were some very beautiful charters in a cupboard. One would at least like to know whither the latest reforms have carried these last.]

† [So I thought in 1871. I believe that it was finished, and that the nave has been destroyed.]

tion, we may perhaps venture to reckon it as one of the class with which we are dealing. Old Sarum, so long the byword of bywords, is an undoubted case. But there the difficulty is of another kind. When we look on the vast ditches of the primæval fortress, the ring within ring of the British Ekbatana, it is hard to carry ourselves back to times so recent as the thirteenth or even the eleventh century. The Briton has here outlived all his conquerors. The church has altogether vanished; of the castle only a few stones are left. There is nothing to remind us that the elder Salisbury ever was a city, that from the days of William to those of Henry the Third it was at once a great military post and a seat of civil and ecclesiastical rule. The parliamentary representation of Old Sarum must have been an anachronism from the beginning. It was doubtless called on to return members because it still kept the formal rank of a city. But its fall had begun before Earl Simon's Parliament met. The Church had already forsaken the place, and a new minster had arisen in the plain. In the course of the next century the ruin of Old Sarum seems to have been pretty well accomplished.

Old Sarum then is not so good a case of a decayed borough as some others, because there is nothing about it to remind us that it ever was a borough at all. A more speaking case will be found in a far obscurer spot, at the thoroughly decayed borough of Newtown in the Isle of Wight. It is the very model of utter decay, a decay made more suggestive by the seeming claim to newness in the name of the place. New College, the New Forest, and the Campanian Neapolis, if no longer what their names imply, are at least among existing things; but the Neapolis of Wight, while still calling itself new, has passed out of being altogether. There never was so clear a case of life in death. The old lines of street are to be seen keeping their old names; one of them, the Quay Street, keeps up the memory of the time when Newtown was a haven. But the streets are now green lanes, and the market square,

still keeping its name, cannot even be called the village green, because it is a green without any village. The narrow strips of ground which formed the ancient burgage-tenures are still in many cases to be seen fringing the forsaken streets. How many houses there may be besides the public-house and the town-hall, which last is now irreverently dwelled in, we do not accurately know, but we suspect that they might be counted on the fingers. Certainly, through all the streets and squares of Newtown we saw but a single inhabitant. He was but an old man driving a cow; still, as he was the only man whom we saw at all, our heated imagination at once clothed him with the dignity of Portreeve of the fallen commonwealth. But on more minute inquiries we found our mistake. Newtown never was so highly honoured. London once had her Portreeves so had Yeovil; Kenfig and Langport have their Portreeves still.* But Newtown never had anything better than a French Mayor; nay, the town itself once had a French name. The borough was incorporated in the days of Henry the Third by the King's half-brother, Aylmer Bishop of Winchester, whose name, which had wandered so far from its Teutonic root, Englishmen seem to have pleased themselves by translating back again into Æthelmar. In his days the town was *Francheville*, and the name of Francheville may still be seen on the corporate seal, and the corporate seal may be seen, if nowhere else, as the sign of the local ale-house. The town had charters from Edward the Second and Edward the Third, but the first and greatest of the name is not mentioned in connexion with Francheville. Yet one is strongly tempted to see his hand—the hand of the founder of more than one Francheville—in the regularly laid out streets, reminding us of Winchelsea and Libourne. Local history tells us that an attack in the French war ruined Francheville or Newtown, that it never

* [They have perished since. I know of no more thoroughly wanton piece of innovation than the suppression of those harmless and picturesque survivals of an elder time.]

recovered from the blow, and that the neighbouring town of Newport rose to prosperity on its downfall. And now here comes the fact which should be remembered; Francheville or Newtown never sent members to Parliament till long after the day of its ruin. The creation of Bishop Aylmer had no share in the national councils till the reign of Elizabeth. It is plain that the claim of Newtown to parliamentary honours was that it had already sunk into decay.

XVIII.

THE CASE OF THE DEANERY OF EXETER, 1839–40.

THE suit in the Court of Queen's Bench which followed the election made to the deanery of Exeter in 1839 brings out several questions which, though in form legal, may seem to come within the understanding of some laymen. The matter has now become purely historical, and the questions debated in the pleadings are never likely to be raised again. Good care indeed was taken that they should not be raised again. The story in short comes to this. After an illegal interference on the part of the Crown for more than two hundred and fifty years, the Chapter of Exeter asserted their right to the choice of their own Dean. They proved their right in the Court of Queen's Bench, and the right thus proved was immediately taken from them by Act of Parliament.

If at any time from Henry the Eighth onwards, and perhaps for some time before Henry the Eighth, an ordinary man had been asked in what hands was the appointment to the deaneries of the cathedral churches of England (not reckoning Wales), he would most likely have answered, without a moment's stopping to think, that it was in the hands of the Crown. And, at any rate from Henry the Eighth's time onward, the answer would have been formally true in some cases and practically true in all. I feel safe in saying that, at least from Henry the Eighth's time till now, only one dean of an English cathedral church has been appointed without the nomination of the Crown. This was Thomas Hill Lowe, who was elected Dean of Exeter

in 1839. He was elected, not only without the nomination of the Crown, but in direct opposition to a nomination of the Crown. The next year, in the judgement given in a suit brought by the Crown against the Chapter, he was declared by the Court of Queen's Bench to have been lawfully elected, and he kept his deanery for life. The thing must have been a little startling; it was a stirring incident in the commonly quiet routine of capitular matters. There had been nothing like it, in England at least, since the time of James the Second. Mr. Lowe filled an unique place in ecclesiastical history. All other English deans for some centuries past had either been directly appointed by the Crown or elected under a nomination from the Crown. Mr. Lowe alone was elected in the teeth of three successive attempts of the Crown to put other people in his place. How this came about needs some explanation, and the story which explains it has, possibly from the point of view of the lawyer, certainly from the point of view of the ecclesiastical antiquary, a good deal of interest. For my own part, I took some heed to such matters early, and I have always had a certain remembrance of the questions at issue, though of course not with the clear memory of an older person. Some local studies on the history of Exeter have lately drawn me again to the subject, and I have looked at the matter, both in more obvious documents and in the technical Report of the late Mr. Ralph Barnes.* The story opens a good many points in that mixed region where the historian is truly glad of the help of the lawyer, but where he ventures to think that he can sometimes give a little help back again.

In going through the law and the facts as to the appointment to deaneries, everything that has to do with the new-foundation deaneries, those founded by Henry the Eighth,

* Report of the Case of *The Queen* v. *The President and Chapter of the Cathedral Church of Saint Peter in Exeter*, regarding the Deanery of Exeter in the Queen's Bench in Easter and Trinity Terms, 1840. By Ralph Barnes, Chapter Clerk. London, 1841.

has to be put aside. To these the Crown appoints directly. And to them may be added the old-foundation deanery of Wells, which was transferred to the direct appointment of the Crown by certain transactions in the reign of Elizabeth which might themselves form a curious subject of inquiry. What we have to deal with now is the rest of the old-foundation deaneries of England proper, a class of which the deanery of Exeter is the youngest. The position of the old and new deaneries must be carefully distinguished. The distinction rests on a very simple principle, but a principle which involves the whole law of patronage. The Crown had the absolute nomination to the new-foundation deaneries, because of them it was founder and patron. It had of right nothing to do with the appointment to the old-foundation deaneries, because of them it was not founder or patron. The words 'patron' and 'patronage' are words which have not exactly changed their meaning, but from which the greater part of their meaning has dropped off. The notion of appointing to something, the notion which has now become the main or rather sole idea of patronage, the notion from which indeed the word 'patronage' has been transferred to rights of appointments of other kinds, is rather an accident of the position of 'patron' than its essence. The 'patronus' or 'advocatus' of an ecclesiastical body was in idea the founder or his representative. He was strictly the patron, the advocate, the defender in words or deeds, of his own foundation or that of his forefather.* As such, he kept some rights and privileges over the foundation, a foundation which he might be called on to defend at the cost of some trouble or even risk; above all, he had some voice, in some shape or another, in its elections and appointments. The monastic or collegiate body, when its chief seat was vacant, applied to its 'patron' or 'founder'

* [There were 'advocates' who became such by the choice of the monastery or other foundation; but the original advocates seem to be the founders. The same thing took place with towns and other communities, which found that a *Schirmvogt* was useful.]

for leave to elect a successor. What would have happened if that leave had been altogether refused, lawyers must explain; history can witness that, especially in the case of royal patrons, the leave was often delayed, and that, when the patron granted leave to elect, there was a strong temptation at least to express a wish as to the person to be elected. Out of these elements, stiffened, first by usage, then by law, comes what at first sight seems the strange process of appointment to an English bishopric. The Crown is in law held to be founder of all English bishoprics, and it would most likely be found to be so in historic fact. To the Crown therefore the electors, the Chapter, apply on a vacancy for leave to elect. The leave is granted, by virtue, the document itself says, 'of our fundatorial rights.' But by the Great Charter, the election is to be free; and, as far as the *congé d'élire* itself goes, there is not a word that interferes with the fullest freedom of choice. The Sovereign simply gives the electors a little good advice as to the kind of person, a godly, learned, and loyal person, whom they would do well to choose. But along with the *congé d'élire* is slipped in, as a kind of afterthought, another document called a *letter missive*. In this the Sovereign, considering the excellent qualities of A. B. and his thorough fitness for the bishopric of C., recommends him to the electors as the person to be chosen. The electors meet and elect; their act is, to all outward show, as free as the Great Charter meant it to be, while in point of fact the person recommended in the royal letter is invariably chosen. It is rare indeed, though it has happened twice in our own time, for the slightest objection to be made to his election. And why? Because behind all this traditional show of free election lurks a certain statute of Henry the Eighth, which requires the electors, under penalties not the less frightful because they are a little mysterious, to choose the person named in the letter missive, 'and none other.'

The Crown then, as patron of all bishoprics, nominates

the persons to be elected to those bishoprics.* That is, the right of recommendation, which can hardly be shut out where leave to elect is needed, has, under the act of Henry the Eighth, stiffened into a power of nomination which is none the less effectual because it is indirect. The Crown too, as patron of certain deaneries, has, ever since their foundation—in the case of Wells, since its alleged new foundation—nominated to them directly. From both these states of things, the case of the old-foundation deaneries (other than Wells), as they stood in 1839, must be carefully distinguished. It does not appear that the Crown was patron of any old-foundation deanery; at Exeter it certainly was not. There the bishop was patron of the deanery. The deanery of Exeter was the newest of the old-foundation deaneries. The office did not exist till 1225. Then, by an act of Chapter, confirmed by Bishop William Briwere,† it was ordained that one of the canons of the church of Exeter, chosen by themselves, should be head of the chapter by the title of Dean. On a vacancy, the canons asked leave of the Bishop to elect; the leave was granted, and the Dean was elected, always of course from among the canons themselves. How far the choice of the canons was in all cases practically free, whether the bishops ever interfered with it, does not appear from the evidence produced. It is plain that the bishops had not the same means of interfering with effect which the King had in the case of bishops, even before the statute of Henry the Eighth.

The main point here is that with the election of a Dean of Exeter—and, as far as I know, the case is the same with every other old-foundation deanery—the Crown had absolutely nothing to do. The part which, in the election of a Bishop of Exeter, was played by the Crown was, in the

* [To certain newly-founded sees, which have as yet no Chapters, the Crown appoints directly; but this state of things is only provisional.]

† It is printed in the Monasticon, ii. 534. See also Barnes, iii. 11.

election of a Dean of Exeter, played by the Bishop. But it must be remembered that this absence of legal interest in the matter by no means shut out the possibility of irregular interference. Nothing was for a long time more common than the interference both of kings and of subjects high in power with the rights of patrons and electors of all kinds, ecclesiastical and academical. We hear most of it in the seventeenth century, but it was rife long before. It is significant that the munificent Hugh Oldham, Bishop of Exeter, was led to transfer his intended bounty from Exeter College to his friend Fox's new foundation of Corpus, because he had been refused a fellowship at Exeter which he had asked for a friend. One would think that the Fellows of Exeter must have been unusually bold, to meet their own Visitor with such a refusal. Such applications, especially when they came from the Crown, were commonly successful. The gallant resistance of Magdalen College to James the Second was provoked by the amazing folly of the King in attempting to force on them a man who was in every way, legally, statutably, and personally, unqualified and disqualified. Other colleges had elected heads under letters of recommendation from the Crown; Magdalen itself had done so in the case of the President whose death caused the vacancy. If James had recommended any one whom the Fellows could have elected, any man of good character, qualified by the law of the land and the statutes of the college, there is no reason to suppose that they would have stood out for absolute freedom of choice. What took place with colleges also took place with chapters, and more abundantly. For the practice of electing a Crown nominee to the deanery became, though without the slightest legal obligation, the established custom which lasted down to our own day, while interference with college elections has ceased for a long while. At last, in our own day, during the present reign, the Magdalen case came over again. The canons of Exeter, after humbly electing the royal nominee for three

centuries, dared to choose for themselves. But they did so only when the Crown nominated a candidate who could not be elected without a breach of the statutes of the church of Exeter and of the law of the land itself.

The first recorded instance of interference with the elective rights of the canons of Exeter was in the reign of unlaw under the keepers of Edward the Sixth.* But we may be sure that kings had meddled long before. When we find Richard Pace, Henry the Eighth's minister, succeeded in the deanery by Reginald Pole, Henry the Eighth's kinsman, we may be sure that Henry had something to do with the election of both Pace and Pole. There is no need to suppose any formal recommendation, such as we meet with afterwards;† but the Chapter at least knew that such a choice would be pleasing to the King. But those who bore rule in 1553, John Duke of Northumberland at their head, did much more than meddle with an election; they attempted to oust the capitular electors altogether, and to appoint to the deanery by letters patent. They attempted in short to deal with Exeter as if they had been dealing with Canterbury or Winchester. This was in truth one of those interferences with the rights of the 'churches' of his kingdom which the King at his coronation swears that he will abstain from. The death of Edward stopped the carrying out of the attempt; but soon after the accession of Elizabeth the question arose again. The deanery became vacant in 1559; the Queen did not, like her brother, attempt to appoint by letters patent, but she recommended Gregory Dodds, B.D., to the canons for election. But Dodds, not being a canon of Exeter, could not statutably be elected. A very remarkable correspondence follows. The canons explain the case to the Queen, who seems to have been perfectly ready to hear reason. A way out of the difficulty was found by which the canons could at once keep to their

* Barnes, 25.

† The proceedings at Pole's election are given in Barnes, Appendix xxiii. There is of course no mention of the King.

statutes and carry out the Queen's wish. The see of Exeter was vacant; its spiritualities were therefore in the hands of Archbishop Parker, its temporalities in the hands of the Queen herself. She had therefore the nomination to the prebend vacated by the death of the late Dean. To that prebend she named Dodds; the canons, under the Archbishop's mandate, installed him as prebendary; then the Archbishop issued his licence for the election of a Dean;* the canons chose Dodds, now a qualified candidate; he was confirmed by the Archbishop and installed. The thing was done to her Majesty's content, without any breach of statute, and without any mention of her Majesty's name in the process of election.†

The election of Dodds became a precedent in cases where, the see of Exeter being full, the Bishop could himself exercise his natural powers, instead of their being in this way divided between the Queen and the Archbishop. In some cases in the reigns which followed, the records are lost, and there is no evidence as to a royal nomination or not; in other cases the Crown recommended a candidate. So did Charles the First in 1629, and Charles the Second in 1661, 1662, and 1663. But the first nomination of Charles the Second, that of Seth Ward in 1661, contains words which are not to be found in the nominations of Elizabeth or of Charles the First. The King now says of the deanery, that that 'office and dignity appertaineth to our disposition.' Still the chapter is required to *elect* and not merely to *admit*, and in the nominations of 1662 and 1663 the words claiming the deanery as in the disposition of the Crown are left out. It is again a simple recommendation and command to elect. But in 1681 Charles the Second went a step further. We have now come to

* [Why did not the Queen issue the licence? One would have thought that the right of granting it, being part of the temporal right of patronage, would have lapsed to the Crown during the vacancy. The confirmation of the election, a spiritual act, would of course be in the Archbishop.]

† Barnes, Appendix, xxx-xxxviii.

another reign of unlaw, just as we came in 1553. Charles now did something more than 'require and command' the Chapter to elect the royal nominee. He issued letters patent 'giving and granting to our beloved in Christ Richard Annesley, Bachelor in Divinity, the deanery of our cathedral church of Saint Peter in Exeter, by the death of George Carew the late Dean there now void, *and to our donation belonging.*' The Chapter is not called on to elect Annesley, but simply to 'assign' to him 'the stall in the choir and place and voice in the Chapter' belonging to the office of Dean. And this, or something to the same effect, became the usual form of nomination down to our own time.

Notwithstanding all this, both when candidates were simply recommended and when the Crown directly nominated a Dean and called on the Chapter simply to admit, the Bishop and Chapter always acted according to the old statutable forms. Not only the candidates who were recommended for election, but Annesley and his successors whom the Crown directly nominated, were still *elected*, just as in the days of William Briwere. The Bishop issued his licence, his *congé d'élire*; the canons elected; the Bishop confirmed. Only the canons always elected the royal nominee. If he was already a canon, there was no difficulty. If he was not, he became qualified by the Bishop collating him to the prebend vacated by the death or other avoidance of the late Dean. And another and seemingly needless stage was gradually introduced. Up to the reign of Elizabeth there had been no distinct class of canons residentiary in the church of Exeter; the residentiaries had been a fluctuating body. By a statute of Bishop Alley in 1560, nine of the prebendaries or canons were to be permanent canons residentiary, and were to fill up vacancies in their own body by calling one of the other canons into residence. Hence gradually came the practice —a mere abuse of language—of confining the name of *canon* to those canons or prebendaries who were members

of the residentiary body. And hence came a notion, quite foreign to the original charter, that the person to be chosen Dean was bound to be, not only a canon but a canon residentiary, not merely one of the twenty-four, but one of the inner nine. Therefore, if the royal nominee was a stranger to the church of Exeter, the Bishop first collated him to the vacant prebend; the residentiary body then called him into residence; lastly the whole Chapter elected him Dean. This whole process seems to have been gone through in every case down to the election of 1839. No notice was taken of the royal claim to an absolute nomination or of the royal command to admit the person so nominated without more ado. But the will of the Crown was carried out by electing the royal nominee, after first qualifying him for election, in the cases where such a course was needful.

Now it must be borne in mind that all this time there was not the slightest legal obligation on the Chapter to elect the person recommended by the Crown. We must not be led away by the analogy of bishoprics. Of the bishoprics the Crown was the patron; the election was always held by the licence of the Crown; by the act of Henry the Eighth the Crown was bound to recommend a candidate, and the Chapter (or Convent) was bound to elect that candidate. Of the deaneries, not the Crown but the Bishop was patron; the election was held under the Bishop's licence; no statute ever either bound the Crown to nominate or bound the Chapter to elect the royal nominee. That the claim, dating from some of the worst times of English history, from Edward the Sixth and Charles the Second, to deal with the deanery of Exeter as a royal donative, needing no capitular election, was a simple piece of usurpation, is plain from the facts. So also ruled the Court of Queen's Bench, if not exactly in those words. And the milder form employed by Elizabeth and Charles the First, the recommendation of a candidate for election, was, both in the case of Exeter and seemingly of

every other old-foundation deanery, simply of a piece with the interference of Charles the Second and James the Second with free election to offices in academical colleges. It is wholly the confusion, sometimes with bishoprics, sometimes with those deaneries where the Crown was the lawful patron, which gives the royal interference with the old-foundation deaneries another look from the royal interference with the academical colleges.

Thus patiently did the Chapter of Exeter submit for more than two hundred and fifty years to have one of its chief powers taken from it without a shadow of legal right. During all that time successive bishops and canons, instead of resisting the royal will, were satisfied to devise ingenious ways by which that will might not be thwarted, and yet the statutes of their church might remain unbroken. At last a time came when these two conditions could no longer be reconciled. The canons were bidden to admit as their Dean a nominee of the Crown whom the statutes of the church of Exeter forbade them to elect as he stood, and whom the law of the land forbade them to qualify for election in the way which had become usual. This strange state of things came about in our own times, in the reign of our present Sovereign, under the administration of Lord Melbourne. And the most grotesque part of the business was that what hindered the will of the Crown from being complied with as usual was nothing else than a very recent act of Parliament, an act which certainly was not designed to lessen the powers of the Crown or to increase the rights and liberties of capitular bodies.

The whole story is told in Mr. Barnes' Introduction to his Report, and the documents will be found in his Appendix. The deanery became vacant by the death of Dean Landon on December 29th, 1838. On January 9th, the Bishop, the famous Henry Phillpotts, issued his licence to the Chapter to elect a Dean. On January 24th the full Chapter, that is the whole body of canons or prebendaries, both residentiary and non-residentiary, met. At that

meeting letters patent from the Crown were produced, asserting in the strongest terms the absolute right of the Crown to nominate to the deanery, nominating the Rev. Lord Wriothesley Russell to the deanery and all that belonged to it, and commanding the canons to admit him as Dean. The canons represented to the Queen, through Lord Melbourne, that it was impossible to admit as Dean one who had not been elected to that office, and that it was impossible to elect Lord Wriothesley Russell, because he was not a canon or prebendary of the church of Exeter. But why could not Lord Wriothesley Russell, according to many precedents in the like case, have been collated to the late Dean's prebend by the Bishop, then called into residence by the residentiary body, and then elected Dean by the full Chapter? The hindrance lay in one of the acts of Parliament which were passed in the course of the legislation about capitular matters, a temporary act of William the Fourth, continued by another act passed in 1838, by which no prebendaries or canons were to be collated or called into residence up to August 1st, 1839. It was therefore no action of the Chapter, but the civil power itself, which hindered the Chapter from complying as usual with the recommendation of the civil power. The canons represented to Lord Melbourne that it was impossible for them to elect Lord Wriothesley Russell, because he was not a prebendary or canon of the church of Exeter, and because there was no longer any means of making him one. But they somewhat weakened their own argument by resting their objection on the fact that he was not a canon *residentiary*. This is a curious illustration of the confusion which had come of the common practice of confining the name *canon* to the residentiary body. It is quite certain that there is nothing in the original act of foundation—where indeed there could not be—nor yet in any later document, to confine the choice of the Chapter to canons residentiary. Every canon or prebendary of the church of Exeter, residentiary or non-residentiary, was alike eligible.

It is plain therefore that the Chapter might have made an election of any one of their own body; the claim of the Crown to appoint directly to the deanery had no legal ground. But they were not yet disposed to press matters to extremities. They adjourned the election, and, at Lord Melbourne's request, sent him all the documents bearing on the subject. These seem to have had some effect on his mind. The nomination of Lord Wriothesley Russell was silently withdrawn. When the Chapter met again on April 4th, new letters patent were produced granting the deanery —still *granting* it—to the Rev. Thomas Grylls, one of the prebendaries of the church of Exeter. At this stage I conceive that both parties put themselves in the wrong. The letters patent in favour of Mr. Grylls were as illegal as those in favour of Lord Wriothesley Russell; but Mr. Grylls, as a prebendary of the church of Exeter, was a perfectly eligible candidate whom the Chapter might have chosen. But, under the influence of the confusion already mentioned, they made it part of their grounds for declining to elect Mr. Grylls that he was not a canon residentiary. They passed a resolution to hold another meeting, and then to elect one of the existing canons residentiary, and they announced that resolution to Lord Melbourne. A compromise might possibly have been come to, if the Minister had withdrawn Mr. Grylls, as he had withdrawn Lord Wriothesley Russell, and had recommended one of the residentiary body. It was well that it was not so: the question would then have been settled on a false issue, instead of being tried on its real merits, as it was in the end. Lord Melbourne chose another course, that of taking away by legislation the supposed objection to Mr. Grylls. The act passed June 4th, 1839, with special reference to the Exeter election, curiously shows how the confusion about canons residentiary affected all minds. In that act it is stated that 'doubts are entertained whether any collation to a prebend or any election to a canonry can be made in the present circumstances of the Chapter of the said

church, and similar doubts may arise on the vacancy of the deanery of other churches; it is therefore enacted that nothing in the said acts [7 Will. IV. and 1 & 2 Vict. 108] shall, during the vacancy of the deanery of any cathedral church, prevent any spiritual person from being appointed to the prebend or canonry in such church held by the last Dean, for the purpose of qualifying such person to be appointed or elected Dean thereof.'

This is a very odd kind of legislation, and the clause is, to say the least, rather awkwardly worded. The words 'appointed to the prebend or canonry' must be understood as taking in the collation by the Bishop to the prebend of a candidate not a member of the Chapter and his further calling into residence by the residentiary body, and also the calling into residence of a candidate who was already a canon or prebendary. The words 'election to a canonry' are, strictly speaking, meaningless. But the truth is that hardly anybody then understood these technicalities of ecclesiastical foundations; the whole modern legislation on the subject is therefore full of contradictions. But one thing is plain; the act simply allowed the Chapter to do something; it did not compel them to do anything. The residentiary body might now, if they chose, call Mr. Grylls into residence, and the full Chapter might elect him Dean, as indeed the full Chapter might have elected him Dean without his being called into residence. But there was nothing in the act obliging them to do either. The Chapter met again on June 14th. A third royal document was ready for their consideration. In the second letters Lord Wriothesley Russell was withdrawn, but Mr. Grylls was directly nominated by the Crown; in the third letters the Crown tacitly surrendered the right of direct nomination; the new letters abandoned the style which had been usual ever since the later days of Charles the Second, and fell back on the lowlier style of Elizabeth, Charles the First, and the earlier days of Charles the Second. Mr. Grylls was recommended to the canons; the canons are even 'required

and commanded' to elect him Dean; but there is no longer anything about the deanery being in the undoubted gift of the Crown. The Chapter might perfectly well have elected Mr. Grylls as a prebendary; or, if they thought such a ceremony desirable, the residentiary body might, by virtue of the late act, have called him into residence. But they were under no obligation to do either. They adjourned once more to June 27th. Then they met and unanimously chose one of themselves, the Rev. Thomas Hill Lowe, Præcentor and residentiary. On August 1st Mr. Lowe's election was confirmed by the Bishop, and the next day he was admitted to the deanery in the usual form.

It was a daring step; but it was simply asserting a right which had been unlawfully interfered with for two hundred and fifty years. It will be seen at once that the case had altogether changed since the first nomination of Lord Wriothesley Russell. Then the Chapter was asserting the law of the land. It was in a somewhat grotesque form certainly. They were defending a very modern law, one passed contrary to their interests and against their petition, and they were defending it against those by whom it had been passed. Still it was the law, and the Chapter defended it against the Minister who would have had them break it. In the two refusals to admit or elect Mr. Grylls—in the second avowedly, and really in the first also—they were standing up for the ancient rights of their church to free election. Every old-foundation Chapter since Charles the Second had been submissive to an unwarrantable requirement on the part of the Crown; the Chapter of Exeter in 1839 would be submissive no longer. But it could hardly be expected that so bold a course should remain unchallenged. Litigation naturally followed, and the cause of *The Queen* v. *The President and Chapter of the Cathedral Church of Saint Peter in Exeter* was heard in Easter Term, 1840, in the Court of Queen's Bench before Lord Denman C.J., Mr. Justice Littledale, Mr. Justice Patteson, and Mr. Justice Coleridge.

The pleadings and judgement in this cause are deeply instructive to the unprofessional student of history, and they must surely have some instruction for lawyers also. To the layman perhaps the most interesting side is the illustration which they give of the different ways in which a strictly historical question can be treated in a court of justice. One counsel only on each side was heard, the Attorney-General, Sir John Campbell, afterwards Lord Campbell, for the Crown, and Sir William Follett for the Chapter. Sir William Follett had in one sense an easy task; for the facts and the law were wholly on his side. But they were facts and law of a rather out-of-the-way kind, which it must have needed no small skill thoroughly to grasp and to put in the most convincing shape and order. To be sure, Sir William Follett was likely on his own account to have some knowledge and to feel some interest about an Exeter matter; he was 'instructed' too by one who could really give instruction, for surely no man was better versed in these matters than Mr. Barnes. Sir John Campbell, on the other hand, was, and most likely knew that he was, in the position of a man who is officially bound to say something when there is really nothing to be said. But one feels that, if the counsel had changed sides, Sir John Campbell could never have grasped the case of the Chapter as Sir William Follett grasped it; it is also possible, though it is hard to see how, that Sir William Follett might have found something stronger to say for the Crown than Sir John Campbell did find. It is curious to see how both counsel treat the one weak point in the case of the Chapter, the objection to Mr. Grylls as not being a canon residentiary. This did not really affect the merits of their argument, but it confused it; it was a defence of a right course on wrong grounds. Sir William Follett clearly saw this, and he wisely said as little about it as he could; his case was perfectly strong without it. To Sir John Campbell, on the other hand, it was the very breath of his nostrils; he

instinctively pounced on it at the very beginning of his reply, as the only approach to a flaw in the case on the other side. It doubtless made a happy beginning for a speech, but it could not carry him very far in the region of fact or law, and it is significant that the Court, in its judgement, passed by the point yet more completely than Sir William Follett had done. Another feature in the proceedings which causes the lay student some wonder is the time spent—the layman is apt to think, wasted—on the not very amazing fact that some writers of law-books had known nothing whatever about the history of old-foundation deaneries. Sir Edward Coke had confused the processes of election to bishopries and to deaneries; so had Mr. Hargrave. To the lay mind this last name conveys no idea; Sir Edward Coke bears an illustrious name in his own department, but it really does not seem wonderful that he should go astray in points which were quite out of his province, though Selden and Prynne doubtless knew all about them. But here, as so often, to the layman's wonder, happens in legal proceedings, the mistakes of mere commentators are treated as if they were contradictions in real evidence. The historical mind says: 'Here are the documents; by them must the matter be judged; commentators doubtless have their use; but they are liable to err in a sense in which documents are not. If the commentators contradict the documents, there is an end of them, and we may pass on.' Now in this case the commentators were set aside and the case did pass on. Both Sir William Follett and the Judges expressly declare that not only Mr. Hargrave, but Sir Edward Coke, was quite wrong; only they seem to see a greater difficulty in the fact than can be seen by a lay historian of the church of Exeter, to whom documents are everything and law-books very little. At any rate it is a comfort that the matter had not to be argued or judged by my legal colleague whose story I have told in another place,* who

* See Methods of Historical Study, p. 74.

would admit of no appeal from Blackstone's amazing dream that William the Conqueror 'introduced the Feudal System' at the Gemót of Salisbury in 1085.

The case was opened by Sir John Campbell, as counsel for the Crown, moving for a rule calling on the Chapter to show cause why a writ of *mandamus* should not issue, directing them to elect Mr. Grylls to the deanery, and, if need be, to qualify him for election by making him canon residentiary. An affidavit of Mr. Grylls was produced, reciting the facts from his point of view, maintaining that the election of Mr. Lowe was null, that the deanery was still vacant, and that the Chapter were bound to elect himself. It is characteristic that Sir John Campbell, at the very beginning of his speech, sets off with talk about the 'Reformation,' and a little way on he is so kind as to give an approach to a date for that event. He implies that it happened before the year 1559, the date of the nomination of Gregory Dodds. And so he goes on, suggesting that 'until the Reformation it does not appear but that there might have been a letter missive from the Crown to the Chapter on the election of a Dean. *There is no evidence that there was.*' Certainly not, and at this rate one might suggest anything in the world for which there was no evidence. I have already said that there is a strong historical likelihood that under Henry the Eighth, and even before, kings did in some way meddle with these elections; but there is no kind of legal proof that they did, and for the suggestion of a formal letter missive there is not even historical likelihood. So in those elections under Elizabeth and James the First of which the records are missing, it is extremely likely that there was a recommendation from the Crown. But there is no proof that there was; there is not even that likelihood, amounting to moral certainty, which there is that an election during the last century of which the records chance to be lost followed the process which had then become usual. One thing which constantly follows Sir John Campbell is this

odd notion, that 'the Reformation' had, or must have had, or ought to have had, something to do with the matter. He cannot keep the Pope out of his argument. From the election of deans he wanders to that of bishops, and tells us that their election by the Chapters 'was a mode said to have been resorted to by the See of Rome for the purpose of giving to the pope the power of nominating.' We are told several times that the case is full of difficulties. The great difficulty in Sir John Campbell's path was what he calls 'the difficulty of accounting for the manner in which that power had become vested in the Crown, because before the Reformation they were elective, *and there is no statute transferring the power from the Chapter to the Crown.*' But he comforts himself by saying, 'But in reality this power has been exercised by the Crown; *it is considered by all the books of authority* as belonging to the Crown; and it would not become me to allow the Crown to be stripped of this power without a judicial decision. I trust the Court will be of opinion, that this power, de jure, does belong to the Crown, and has been rightfully exercised.' And so he totters on, like a man walking on unfamiliar ground, with just enough knowledge to see that his path will lead him nowhere. He has much to say about Mr. Hargrave, and tries by his help to confuse the election to deaneries with the election to bishoprics, though he does see the difference made by the fact that the statute 25 Henry VIII says a good deal about bishoprics and nothing about deaneries. One amusing little bit is where Sir John Campbell says that 'the deanery was founded *so far back as* 1225.' Sir John Campbell seemingly thought that date a remarkable age for a deanery. Sir William Follett, who knew his story, was presently able to point out, quietly enough, that Exeter was the youngest among the old-foundation deaneries.

The Court granted the rule. Presently came the affidavit of Mr. Barnes, a full and luminous statement of the whole matter from Leofric to Phillpotts. And on that followed the

admirable argument of Sir William Follett. Never surely can a brief have been better prepared or better mastered. The speech is a clear historic statement, bringing out every fact and every point of detail with the most perfect clearness. Every point in the story is put in its proper place, and is made to have its proper bearing. Some parts of the speech indeed concern only the lawyer. The layman will not venture to touch a large part of Sir William Follett's disquisition on the general law of patronage, still less will he touch the argument whether *mandamus* or *quare impedit* was the proper way to proceed, in case the Crown had suffered any wrong. But the layman as well as the lawyer may thank Sir William Follett for bringing out that principle of the law of patronage on which the whole case really turns, that where there is election, but election needing a licence, the licence can come only from the founder or patron. He thus sweeps aside the confusions of Coke and Hargrave which mixed up the licence from the Crown in the case of a bishop with the licence from the Bishop in the case of a dean. This all-essential point, that the election to the Exeter deanery had, from the thirteenth century to the nineteenth, been made under the licence of the Bishop without any reference to the Crown, Sir William Follett brings out with as perfect clearness and mastery as if his whole life had been given to the history of the church of Exeter. He brings in another crushing point against the other side. It was not only the Chapter that was concerned, but the Bishop. In some cases the nominee of the Crown had been qualified for election only by the Bishop collating him to a prebend. He asks triumphantly whether in such case, if the Bishop had collated some one else to the prebend, a *mandamus* would lie against him also to make him collate the person whom the Crown wished to be made Dean. The one possible weak point, the objection to Mr. Grylls as not being a residentiary, he passes by in his argument, simply mentioning it among the facts of the case. He shows that

there is no evidence, no recorded sign, of any interference on the part of the Crown, till the vain attempt of Edward the Sixth to make the deanery a donative.* He shows that the recommendation of Dodds by Queen Elizabeth neither implied nor claimed any right in the Crown. 'It was a mere recommendation; and the recommendation from the Crown at that time would in all probability have been attended to by all, *not only chapters of cathedral churches, but any one,* to whom she thought fit to send a letter of this description.'† In the same spirit he deals with the more daring usurpation of Charles the Second—followed, be it remembered, by all later sovereigns. He likens it to other usurpations in the case of colleges, and adds,

'Your lordships will also find in the cathedrals of this country, every one, attempts made by King Charles the Second, and it is with regard to Exeter, not only to interfere with the election of Dean, but to interfere with the election of other offices which the Crown never pretended or could pretend to have any right over. There are letters missive of that king directing elections to other offices in that cathedral. It was like many other prerogatives attempted to be set up, on the part of the Crown, by the last kings of the House of Stewart, which were indeed without any foundation, either in law or right, by the constitution of this country.'

Sir William Follett had indeed got the sow by the right ear. All the sovereigns from Charles the Second onwards, most of them no doubt without the least knowing what they were doing, had been systematically trampling on the legal rights of a body of Englishmen, rights none the less to be regarded because that body of Englishmen happened to be an ecclesiastical corporation. He goes on to say that the claim to treat the deanery as a donative was at least intelligible, but to show how little foundation it had in fact. If any of the Judges, he said, whom he addressed should chance to preside at a trial turning on that claim of the Crown, he could not fail to direct the jury

* Barnes, p. 25. † Ibid., p. 40.

'that there was no foundation of legal right in the Crown at all.' He shows that the second claim in the case of Mr. Grylls, when the claim to grant the deanery was withdrawn and the Chapter was simply bidden to elect the Crown nominee, had just as little groundwork of law and fact as the other, and that it could be accounted for only by a confusion with the process of electing Bishops. He goes through two other cases, that of the deanery of York in the fourteenth century, and that of Saint Patrick's at Dublin in the eighteenth. The York case had nothing to do with the ordinary election to deaneries, but with the question whether, when the Dean of York was elected Archbishop of York, the nomination to the deanery did not fall to the Crown as holding the temporalities of the archbishopric.* The Saint Patrick's case was much more like the Exeter case, and was decided in favour of the Chapter. Both cases are of deep interest, and throw much light on the Exeter case; they also supply Sir William Follett with the technical argument with which he winds up his speech, that in no case could a *mandamus* lie; if the Crown had any case against the Chapter, it must proceed by way of *quare impedit.*

Then came the turn of Sir John Campbell to reply. The lawyer may perhaps be better able to enter into his case; to the layman it seems a pitiable one, when he could hardly have failed to see that fact and law were against him, but was still bound in duty to say something against fact and law. To dispute against Sir William Follett's argument was like disputing against a demonstration in Euclid; there was nothing to be done except to try again to confuse the points which Sir William Follett had so clearly distinguished, and to make a last desperate attempt at awakening theological prejudice. After firing his first shot about the position of Mr. Grylls as not being a residentiary canon, Sir John Campbell really brings forward nothing—

* [This goes on the same principle as the question which I stated in the note on p. 333.]

except a purely technical argument about *mandamus* and *quare impedit*—which does not come under one or other of those heads. One passage is remarkable:

'From the time that the records of the Chapter are forthcoming, we again find that the Crown does appoint. And how does it appoint? And this is most material. *Uniformly by calling on the Chapter to elect the person nominated by the Crown. The Crown has never pretended to have* DE PLENO JURE *the advowson of the deanery of Exeter.* All that the Crown has claimed with regard to the deanery of Exeter has been, *to require the Chapter to elect* the nominee of the Crown, *just as the Crown requires the Chapter to elect the nominee of the Crown to be Bishop.*'

All this was directly in the teeth of the facts of history, as so clearly set forth by Sir William Follett. The Crown, by a formula used, with a few verbal changes, both in 1681 and 1839, had declared the deanery to be 'to our donation belonging,' 'in our gift in full right'; and yet Sir John Campbell says that the 'Crown had never claimed to have *de pleno jure* the advowson of the deanery of Exeter.' From 1681 to 1839 the Crown had not said a word about 'election,' but only about 'assigning and admitting'; the second document in behalf of Mr. Grylls, for the first time since 1663, speaks of 'election,' and yet Sir John Campbell says that during all that time the Crown had done nothing beyond 'requiring the Chapter to elect.' Sir William Follett had shown that there was no point of likeness between the election of bishops and the election of deans, that in the one case the law required the Crown to nominate and the Chapter to elect the nominee, while in the other case the law said nothing about the matter. Yet Sir John Campbell could say that the Crown required the election in the one case 'just as' it required it in the other.

So he goes on to make confusions about the *congé d'élire* —from the Crown or from the Bishop—which Sir William Follett had just so clearly explained. This to be sure was a bit of loyal service to the 'authorities,' Coke and Hargrave, whom Sir William Follett had so mercilessly bowled over. Sir John Campbell, in his desperate case, tries to

show that the recommendations of candidates by the Crown were a *congé d'élire*. Yet words have a meaning; even in the election of bishops, the *congé d'élire* is one thing, the *letter missive*, which contains the recommendation, is another thing. He allows that till 1553 there is no trace of interference on the part of the Crown; but *there may have been a change by act of parliament*—for did not Lord Mansfield say that in certain cases he would suppose an act of parliament? Or there may have been some composition between the Crown and the Chapter; there may in short have been anything that any one chooses to guess, but of which law and history know nothing. A man must—so at least the layman thinks—have been very hard up before he could talk in this way; but the theological appeal is even finer. 'By no Protestant Chapter of Exeter has this right ever been questioned.' Why was not Edward the Sixth's illegal nominee elected or admitted or done something to? 'If there was any doubt about it, it arose from his being succeeded by a sovereign not of the Protestant religion.' This and that might have happened 'before the Reformation'; Sir John Campbell even lets us into some of his own 'beliefs' as to times 'before the Reformation.' 'But we are now considering,' he proudly adds, 'what has been done in Protestant times, *when the Sovereign is Head of the Church.*' As Sir John Campbell in 1839 believed the Sovereign to be Head of the Church, he perhaps also believed that the Sovereign could not marry a subject, and was one of the Estates of the Realm.

Lastly comes the Judgement, dry, clear, and every word to the point. The Court was not moved by Sir John Campbell's Protestant rhetoric; there is not a word about the Reformation or the Head of the Church in that calm statement of fact and law. The Court will hear nothing of Sir John Campbell's possible act of Parliament, of his possible composition between Crown and Chapter. It is ruled that Coke and Hargrave may err, and that in this case they have erred. The facts are stated, dryly but

accurately; the natural inference is drawn that the Crown has no right in the matter; further it is ruled that, if it had had any right, *quare impedit* and not *mandamus* was the way to assert it.

Thus did a body of Englishmen, by fair trial at law, recover an ancient right, after an usurpation on the part of the Crown which had lasted two hundred and fifty years. Now if that body of Englishmen had been something other than an ecclesiastical corporation, if for instance it had been a municipal or even an academical corporation, I venture to think that their successful resistance to a long-standing encroachment on the part of the executive would have been hailed at the time and remembered afterwards as a distinct victory of English freedom and English law. But, as the assertors of freedom and law happened to be a cathedral chapter, the matter aroused but little public attention; it seemed to be a mere uninteresting ecclesiastical squabble, and it is now most likely pretty well forgotten. I might not have thought about it again myself, if my thoughts had not been specially called to it in late studies on the history of the city and church of Exeter. Not the least remarkable part of the story is what followed the judgement. The Minister was wholly beaten in the trial. Before the trial he had had to withdraw point after point; he had been driven to give up the claims brought in by Charles the Second and continued by every sovereign since, and to fall back on the less imperious practice of Elizabeth and Charles the First. And the result of the trial had shown that even for this milder claim there was not a shadow of legal ground. No attempt was made to disturb the judgement in any way, or to try whether an attempt at *quare impedit* might be more lucky than an attempt at *mandamus*. It was silently acknowledged that the pretensions of the Crown to dispose of the deanery of Exeter by any process direct or indirect had no foundation in law. But it might be possible to change the law, and to make that rightful

which the Judges had declared to be wrongful. In most cases it would be thought a somewhat strange proceeding thus to make the sentence of a court of law of none effect by a legislative act immediately following it. It would hardly be thought consistent with liberal and progressive policy to take away the rights of any man or body of men the very moment that the law had declared that they were his or their rights. Sir John Campbell, in the last sentence of his reply, had made an appeal to expediency. The right —to interfere illegally with capitular elections—was a right which 'he believed the Crown for many reigns had usefully exercised for the benefit of the Church.' Such an argument was hardly in its place in a court of law, though it would have been quite in its place in either House of Parliament. Yet when this useful right had just been declared to be an usurpation, it might have been only decent to give the lawful electors a fair trial, to see whether deans freely elected by the Chapter proved much worse than deans elected under a recommendation from the Crown. A generation or so later, if capitular electors had shown themselves very foolish or very corrupt, their right might have been taken from them. But no; one free election had been held; but there should never be another. The judgement could not be disturbed; Mr. Lowe could not be turned out of his deanery; but it might be ruled that he should not have a successor chosen after the same fashion. Within two months after the judgement of the Court of Queen's Bench, an Act of Parliament was brought in and passed, by which the Old-foundation deaneries were put on the level of the New, and their future holders were to be directly nominated by letters patent from the Crown.

The case immediately at issue touched only the single deanery of Exeter, and I am not able to say exactly what the course of things might have been if the same question had arisen in some other old-foundation church. But we may be pretty sure that the same general principles would

have equally applied to any other church of the class. All the old-foundation churches have constitutions drawn on essentially the same lines, but with small peculiarities of detail in each. I should expect that in any one of them we should find that the Bishop was patron of the deanery, and that he issued his licence to the Chapter to elect. I can conceive the statutes of different churches differing as to the qualification of the Dean, whether he need be already a member of the Chapter, or whether he need be a residentiary in churches where the residentiary system is older than it is at Exeter. And we must remember that at Bangor and Saint Asaph the Bishop always appointed the Dean, just like the other dignitaries, without any election by the Chapter. I cannot conceive the Crown having anywhere any part or lot in the matter, except, as in the York case, during the vacancy of the bishopric, when the bishop's patronage is of course for the time vested in the Crown. It would be well worth the while of any ecclesiastical antiquary to compare the experiences of Exeter with those of other churches of the same class. There must be some curious analogies with our Exeter story, not only in the case of deaneries, but in the way, whatever it was, by which the Crown came to name the canons residentiary of Saint Paul's, a thing without parallel in any other old-foundation church. But the Exeter case is enough by itself, as illustrating some remarkable points in ecclesiastical history, and, as I venture to think, suggesting some reflexions of a wider kind than anything touching the powers of a single ecclesiastical body. The old saying of our Chronicler, 'The more they spake of law, the more they did unlaw,' seems singularly applicable to men who, as soon as a right is proved by witness of law and fact, at once proceed to take it away by an abuse of the legislative power.

XIX.

THE GROWTH OF COMMONWEALTHS.*

THERE is much talk just now in the world about changing monarchies into republics, and about changing republics into monarchies. To judge from the way in which people speak about the current politics of France and Spain, one might think that a change of this kind was the easiest thing in the world. And one might think that it was not only the easiest thing in the world, but that it was also a simple and definite thing, something which could be done within the four corners of an Act of Parliament, or voted by the briefer Yea or Nay of a real or a sham *plebiscitum*. The modern history of France and Spain is perhaps beginning to give people a dim notion that there may be many kinds of republics and many kinds of monarchies. And when we constantly see in polite newspapers such a phrase as 'Conservative Republic,' it may be that the general public is beginning to awake to the fact that a republic is not necessarily a state of things in which everybody picks

* [The moment when this was written will be seen at once. In 1873 the French republic was something new, and was looked on as unlikely to last. And there was also a Spanish republic, which has not lasted. All this is another instance of the great law that no general proposition can be made about forms of government, and that everything turns on time, place, and circumstance. And I hope that there are now more people than there were then who would at once support constitutional kingship—or queenship—on reasonable grounds, and who would at the same time see nothing necessarily wicked in those who may prefer another form of Executive. Certainly the word 'democracy' no longer awakens the horrors that it once did. There is even a 'Tory democracy.']

everybody else's pocket and cuts everybody else's throat. Otherwise, the word 'Republican' has commonly been used in England as if it were a term of moral reproach. A man may be Whig, Tory, Conservative, Liberal, even Radical; he may be for or against the present state of the Legislature, the Church, the army—perhaps even the game-laws and the succession to land. Thus far—though it is perhaps not quite clear about the last two points—a man may hold his own notions, whatever they are, and at most his error is mourned over; he is not at once set down as a rogue. But if a man goes on from speculating on all these things to speculate further upon the form of the Executive government, he is at once set down as morally wicked. If he thinks that it might be better to have the actual rulers of the country chosen directly, instead of indirectly, by Parliament or by the people, then he is a 'Republican,' and the word 'Republican,' in the mouths of most people, does not belong to the same class of words as Whig and Tory, but to the same class of words as thief and murderer. A Republican must be a Democrat, and for a Democrat no words can be too bad. The Democrat must be a foe to religion and social order, to life and property and everything else. To be sure there are men still living who may have seen, by the banks of the Aar or on the isles of the Hadriatic, republics which were not democracies.* To be sure any man who chooses may still go any day and see for himself that the most Conservative and the most Catholic people in Europe are also the most democratic. To reasoning like this it would most likely be thought answer enough to say that one set of republicans cut off the head of Charles the First and that another set of republicans cut off the head of Lewis the Sixteenth. An English Puritan † and a French Jacobin were about as unlike one

* [The class, if it lingers still, must now be a very small one.]

† [I ought not, in strictness, to have applied the name 'Puritan' to those who beheaded Charles the First. But the meaning is clear enough.]

another as any two kinds of men can be; but both were Republicans, both upset kings, and, with thus much in common, any differences between them ought in loyal eyes to seem but small. There must surely have been some degree of revolt against this kind of talk, when the 'Conservative Republic' is daily discussed as being, for one at least of the great nations of Europe, the form of government under which there is most chance of union, order, and stability. It is at least not from the Conservative point of view that either M. Thiers or those who have displaced him can be railed at as chiefs of a gang of cut-throats.

Now I am not arguing in favour of a republican form of government either in England or anywhere else. I am only claiming on behalf of those who are in favour of a change in the form of the Executive, that their notions are not to be looked on as something wicked in themselves, any more than the notions of those who are in favour of a change in any other of our institutions. I am only arguing that the hereditary King is simply, like the elective Town-Councillor, something created by an Act of Parliament, and that it is no more sin to discuss the repeal of the Act which establishes the King than to discuss the repeal of the Act which establishes the Town-Councillor. As for discussions about any one ideal form of government, they are simply idle. The ideal form of government is no government at all. The existence of government in any shape is a sign of man's imperfection. If we were all so wise and good as always to do exactly the right thing of our own accord, there would be no need of laws, lawgivers, or judges; the King and the Town-Councillor would be equally uncalled for. In an imperfect world some kind of government is needful; but what is the best kind of government for any particular community depends on endless circumstances which are perhaps not exactly the same in any two communities. Anything worthy to be called government—I shut out mere tyranny and mere anarchy as not being worthy

to be called government—may be the best or the worst in its own time and place. What is best in an early state of society may not be the best in a state of highly elaborate civilization. What is best for a single city may not be best for a large nation. What is best for one race or one climate may not be best for another race or another climate. As a rule—again setting aside mere tyranny and mere anarchy—that form of government is best for any particular society which the circumstances of its history have given it. I do not mean that such a government may not need great reforms. But when a nation which is possessed of an historical form of government makes from time to time such reforms as are needed, it is simply carrying on the process by which that form of government came into being at all. The circumstances of our history have made us a constitutional monarchy, and I at least see no reason to wish to change that form of government for any other. We have got King, Lords, and Commons, and I believe that we shall go on best by keeping King, Lords, and Commons, only making such changes in the constitution of any of those branches as experience may show to be needful. All I ask is that the constitution, or even the existence, of one of the three shall be not thought more sacred, more beyond the reach of argument, than the constitution or the existence of the other two.

Our constitutional kingship, like any other form of government deserving to be called government, has its good and its bad side. But change, radical change, change which is not the mere improvement of detail but which breaks the continuity of institutions, is in itself an evil. Those who seek to change a monarchy into a republic—just like those who seek to change a republic into a monarchy—must be prepared to show, not only that the proposed change will be abstractedly for the better, but that it will be so much for the better as further to counterbalance the inherent evil of an organic change, of the snapping of a link between the past and the present. No doubt there

are times and places where such a case may be made out; but it is incumbent on the man who proposes so great a change to make out such a case. I myself see no case for the abolition of kingship; I only ask for toleration for those who think otherwise. It seems to me that any radical change in the form of our Executive would do more harm than good. The worst side of our present system is not political but social. Where the existence of kingship works badly is in the spirit of grovelling flattery which it encourages. The habit of cringing to princes, of hiding or putting fair names on their vices, must have a bad moral effect; it must tend to deaden men's feelings of truth and right. And I suspect that this habit of prince-worship is one of the special evils of a constitutional monarchy, that it has more influence, and appears in a worse form, in a constitutional monarchy than it does in a despotism. But the spirit which goes down into the dirt at the mere hearing of the name of a Royal Highness would, under any other form of government, find something else to go down into the dirt before. For my own part I have no wish to disturb the existing form of our Executive, except perhaps in one way. The experience of the present reign shows that the duties of a constitutional sovereign are best discharged by a woman, and I suspect that, in order to make constitutional monarchy at once respectable and lasting, the wisest thing would be to entail the Crown in the female line. The only real objection to such change is, that the substitution of enactment for tradition might give the institution a shock. Otherwise it would be likely to give constitutional royalty a new lease of another century or two. The chance of another Charles the Second or George the Fourth is always far more likely than the chance of a Russian Catharine or Elizabeth.

But the object which I have now before me is to show, by the experience of history, that, when any state does make a change in the form of its Executive, whether it changes from a kingdom to a commonwealth or from a

commonwealth to a kingdom, the way to make the change lasting is to change as little as possible, to make no innovation beyond what is absolutely needed to bring about the object in hand. The received idea nowadays seems to be that, when a people makes a change of this kind, it is a necessary part of the business to make a clean sweep of everything, to upset the whole fabric of the State as well as the particular branch of it which it is wished to reconstruct. It is in short held to be the right thing to take a clean sheet of paper and to write out the whole constitution afresh, because it is needful to strike out some clauses and to write some others instead. This fancy is surely one main cause which has made it so impossible for France to set up any stable government of any kind since the overthrow of the old royal despotism. Commonwealth, Kingdom, Tyranny, all have in this matter been the same. Each has arisen as something altogether new; each has striven to cut itself off as much as might be from whatever went before it.* Neither Commonwealth, Kingdom, nor Tyranny has had anything firmer to stand upon than the preference of the moment. Not one of them has had any historic basis, any roots going down into the past. It is the one good feature in the present provisional state of things that it has, more than any other government before it, come of itself. It is not the result of any theory. A Legislature was wanted; an Executive chief was wanted; and the Legislature and the Executive chief came into being at the bidding of necessity. A government like this, if only people would let it alone and give it time to shape itself, is more likely to grow into something really suited to the national wants than either kingdom or commonwealth

* This is curiously shown in the way in which the mere records of fallen powers are wiped out. At Rouen, for instance, a street built during the tyranny was called 'Rue de l'Imperatrice.' Under the Republic it has become 'Rue Jeanne d'Arc.' Would it not have been better to keep the record of the fallen state of things, and to point to it with some such moral as

ἡμεῖς τοι πατέρων μέγ' ἀμείνονες εὐχόμεθ' εἶναι;

elaborately sketched out on blank paper. The Republic without Republicans is so far really more hopeful than any more cunningly devised thing that could be put in its place. The thing is rough and imperfect—the form of its Executive I hold to be thoroughly bad—but it would be wiser to smooth it and fill up its gaps than to pull it down and set up something else from the ground. But if it or anything else is to live, it must avoid the evil which has sapped all other French governments. Commonwealth, Kingdom, and Tyranny have been alike in one thing. While they have rooted up things good, bad, and indifferent, they have all carefully kept and nourished up the evil thing of all. All alike have done their best to root out all real national life, to crushing all free local institutions, to make everything depend, as by a mechanical law, on the one central power. It really matters little whether that central power be Commonwealth, King, or Tyrant, as long as it sets its Prefects openly to meddle at elections.

In looking at some of the most striking cases in which states have changed from kingdoms to commonwealths or from commonwealths to kingdoms, I wish to look at the matter, as far as may be, as a scientific study of political history, without entering on the moral aspect of the case either way. I wish to look at the process rather than at the object. My position is that a change of any kind is most likely to be done with the least amount of immediate mischief, and with the best hope of the new institutions being lasting, if those new institutions depart as little as possible from the old ones. This is equally true whether the change be one of which I or any one else may approve, or one which we may utterly condemn. It is equally true whether the change be from monarchy to republic or from republic to monarchy, from oligarchy to democracy or from democracy to oligarchy. But I may say that the greater ease with which changes of this kind may be wrought under

any particular form of government is so far a merit on the part of that form of government. Of the two evils, despotism and oligarchy, it may be argued that oligarchy is the worse, because in a despotism there is at least the chance of the personal good disposition of the despot. But on the other side it may be argued that a despotism cannot be changed into a free government of any kind without altogether upsetting the existing state of things, without either setting up something new from the beginning or trying to call back again something which has altogether passed away. But an oligarchy may be changed into a democracy without any such sudden break. It may not even be necessary to change the names, the powers, or the terms of office of the magistrates and assemblies in which power is actually vested. It is very likely that all that is immediately wanted may be gained by decreeing that the right of electing and being elected to those magistracies and assemblies shall be thrown open to the whole people, and no longer confined to some particular class of the people. No doubt, in a state where such a change as this is called for, other changes will be needed as well. But in the case which I have put, when the strictly constitutional changes are once made, the new magistrates and assemblies will be able to make any needful changes in detail by the ordinary course of legislation.

Of successive changes of this kind, wrought from time to time as they are needed, without ever building up again the constitutional fabric from its foundations, the history of Rome is the greatest of all examples. That most conservative of states was at various times an example of almost every form of government; but it never once had altogether to pull down and to build up again from the ground. Rome indeed never was, in form at least, a pure example of any of the three great forms of government. Monarchic, aristocratic, and democratic elements were mingled in her constitution from the beginning; and all three went on to her latest days, if not in actual working,

yet at least in the shape of formulæ and survivals. Without going into any disputed minutiæ of Roman constitutional history, it is plain that our earliest glimpses set before us the three elements of the King, the Senate, and the popular Assembly. And the analogy of other states may lead us to guess that the purely elective kings of Rome had, by a process familiar everywhere, succeeded to an ancient kingly house, just as, by a process no less familiar, the kingdom was, at the time of its abolition, fast passing away into the hands of a new kingly house. This however is a mere inference from analogy; but it is certain that, when the kingly office was abolished at Rome, the kingly power was not abolished, nor were the powers and relations of the other two branches of the state, the Senate and People, at all formally altered. All that was done was that, instead of choosing a king for life, the people now chose two magistrates clothed with kingly power, but holding it only for a year. Indeed the very title of king lived on in the priestly personages who were appointed to discharge the religious duties of kingship.

Presently it was found that the revolution which got rid of kings had turned more to the advantage of one class of the people than of the people at large; by getting rid of the kings, the aristocratic element of the constitution gained the upper hand, and a series of struggles against patrician domination followed. But what was the nature of those struggles? No man at Rome ever proposed wholly to wipe out the existing state of things and to start afresh. No man ever proposed to write out a new and symmetrical Roman constitution on a clean sheet of parchment or on a blank tablet of brass. No man ever proposed to abolish the Senate or the consulship, or even very greatly to lessen their powers. The utmost that was ever done was, as the kingly power had been put into commission in the hands of two consuls, to put it again further into commission in the hands of a greater number of military tribunes. The object of all the plebeian struggles was, not to abolish any-

thing, but to establish the right of the Commons to a voice and a share in everything. The Senate lost some of its powers; but it lost them, not by the setting up of any new body in the State, but by a transfer of power from the Senate to bodies which were already in being. The great magistracies were thrown open to the Commons; but they were thrown open one by one, as a particular grievance was felt in a particular quarter. There was so little thought of mere symmetry on the point, that, in the case of a few offices which were either of small political importance or which seldom needed to be filled, no special measure was ever brought forward, and they remained confined to patricians to the last. New magistracies were often created; but their creation was simply the further carrying on of a process which had already begun; the kingly or consular power was further divided among a greater number of holders. The process, though different in form, is the same in principle as that which happens among ourselves whenever, instead of a personal Lord High Treasurer or Lord High Admiral, a body of commissioners is appointed to discharge his office.

In the history of Roman constitutional progress the most distinct innovation is the foundation of the plebeian tribuneship, with its wonderful power of checking the action of every other branch of the State. But it can hardly be thought that the tribuneship was actually called into being for the first time at the moment when it thus became one of the chief powers of the commonwealth. It is far more likely that the tribunes had all along been the chiefs of the *Plebs* in its character of a separate body, but that they were now first recognized as officers of the commonwealth as a whole. And their whole position is truly Roman. A check was needed on the arbitrary power of the patrician consuls. A less conservative state would have abolished the consulship, or cut its powers down to something much smaller. The Roman remedy was to set up a plebeian office by its side, with a power of for-

bidding no less arbitrary than the consul's power of acting. In this way Rome gradually changed the whole spirit and form of her government without ever having to fall back on first principles, without ever having, like modern states, to draw up a fresh constitution. It would not be perfectly correct to say that Rome changed from an aristocracy to a democracy, because she never was at any time an example of either of those forms of government in its purity. But she changed from a state in which the aristocratic element had the upper hand into one in which the democratic element had the upper hand. And no one could point to any particular moment at which the one element finally got the better of the other. Till the days of the civil wars, there was no moment, as there was in many a Greek city, when the oligarchs drove out or massacred the commons, or when the commons drove out or massacred the oligarchs. The Roman constitution was always changing, but it was always changing by the strictly conservative process of changing only what there was distinct need for changing at that particular time. Rome had her reward in a degree of combined permanence and power to which no other commonwealth ever reached.

As in this way the Roman state changed, as we may roughly say, from monarchy to aristocracy, from aristocracy to democracy, without any sudden or violent sweeping away of things old or setting up of things new, so the like happened when the commonwealth changed back again from democracy to monarchy. The Roman Empire owed its wonderful permanence to the fact that it was not brought in by a revolution, that it was not even brought in by one sweeping legislative vote. The Romans of the last days of the commonwealth were split up into parties and used to civil wars, but every man would have voted, every man would have fought, against an open proposal for abolishing the powers of the Senate and People, and setting up an avowed monarch instead. They would even have voted and fought against a proposal which, without

destroying the powers of the Senate and People, should have again united the powers of all the curule magistrates in the person of a single king. It is plain that the first Cæsar, without proposing anything like this, still went too far even for his own partizans in his evident wish for an avowed kingship, to be held perhaps in the provinces only. The younger Cæsar knew better. He abolished nothing; he changed nothing; he simply set up a new power which gradually and stealthily ate up all other powers. He received, as several others had received before him, extraordinary commissions for a term or for life. He combined offices and powers which had hitherto been kept separate, and so, without formally overthrowing anything old, without formally creating anything new, he founded a dominion which grew step by step into an acknowledged monarchy. The old institutions of the Commonwealth lived on, sometimes to die out without record of their extinction, sometimes to be formally abolished, not in the Old Rome but in the New. The first Cæsar wished to be King; the second Cæsar was satisfied with being practical master; and his power went on in one shape or another, under one title or another, till at last there came a King of the Romans in the eleventh century, and a King of Rome in the nineteenth. The motion of Antonius was at last carried; but those to whom Rome gave the kingly title could hardly be said to rule over her with the same full powers as those who had been contented with being chiefs of the Senate and the army, and who shrank with at least well-acted horror from the title of King or Lord.

Such is the lesson of Rome. A republic can supplant a monarchy; a monarchy can supplant a republic; and both can do the work all the more thoroughly and all the more lastingly by keeping as much as possible, by destroying as little as possible, of the institutions which it supplants. Nor is the lesson of Athens different. It was only step by step that the old kingship changed into a board of nine magistrates taken by lot, magistrates first in rank, but least

in power, among the great officers of the commonwealth. It was only step by step that the exclusive dominion of the old patricians changed into the universal sovereignty of an assembly in which every citizen had an equal vote. Therefore the Athenian democracy was more stable, more lasting, than that of any other Grecian city. Its existence was interrupted by fewer revolutions, and those of a less violent kind, than any other Greek democracy. Once only, and that in her very earliest times, had Athens to bow to a tyranny, and that was the tyranny of one who scrupulously respected the outward forms of law. She had twice to bow to an oligarchy, but the oligarchy of the Thirty, under which her democratic institutions were for a moment utterly swept away, was simply forced upon her by a foreign power, and was overthrown the first moment that her citizens had won back strength enough to overthrow it. But the earlier oligarchy of the Four Hundred is, both in its rise and in its fall, an instructive example of the lesson which I am trying to teach. Its power lasted only four months; yet it arose step by step, and it was overthrown step by step. All that the oligarchs openly proposed was, not to abolish the Senate and the Assembly, but simply to make some changes in their constitution and mode of appointment. It was a transparent fallacy to say that it was no great change to limit the right of voting in the Assembly to five thousand citizens, because it was not often that so many as five thousand citizens appeared in any particular meeting of the Assembly. But it was a fallacy which implied the principle, however insidiously professed, not of recklessly upsetting the existing constitution, but, to say the least, of letting it down easily. And when the cheat was found out, when the shortlived oligarchy was overthrown, the full democracy was not restored at a single blow. The first cry was for the Five Thousand, the promised popular branch of the new constitution, as against the Four Hundred, the oligarchic branch. And several characteristic features of the old democracy

remained in abeyance for a while. This was the only revolution, strictly so called, in Athenian history, the only time since the usurpation of Peisistratos when the constitution was changed in an illegal or irregular manner by the sole action of parties within the commonwealth, without any intervention of foreign force. In most Greek cities democracy succeeded to oligarchy and oligarchy succeeded to democracy, tyrannies were set up and were overthrown, far oftener and far more suddenly. At Athens the whole people had advanced so far in the great lesson of constitutional morality that even the plotters of an oligarchic revolution were obliged in some measure to assume a virtue, and to profess that they were only reforming the existing constitution, and not sweeping it away.

The later history of Europe goes on to teach us exactly the same lessons which are learned from the examples of the two great ancient commonwealths. At various times in European history, nations have broken away from kingly rule and have grown up into independent commonwealths, while in other states the sovereignty of a single man has taken the place of an older republican freedom. Several states both of Europe and of America owe their origin to changes of this kind. But where the change either way, the change from monarchy to republic or the change from republic to monarchy, has been really lasting, where the new government has really taken firm root, it will be found that there seldom was any particular moment when the new government could be called a new government. Except in cases of foreign intervention, where a new system has been brought in by force of arms, the change has commonly been made gradually and silently; the nation has gained its freedom or it has lost it, without its being possible to fix any exact date to the time when it was gained or lost. The institutions of the country have been changed only so far as was needful for the objects of political change, and in many cases they have been changed quite silently, as if without any set purpose, but

merely by the gradual force of circumstances. The commonwealths which have been most lasting and most successful did not arise by changing the form of government in an existing nation, by falling back on first principles, and drawing up, as something quite new, a republican instead of a monarchic constitution. We nowadays see a country like France or Spain keeping its old boundaries and its continuous national being, but changing its form of government from monarchy to republic or from republic to monarchy. But in the older commonwealths the nation was commonly formed along with the commonwealth. Most of them were parts of some larger dominion, where the central power was sometimes weak, sometimes oppressive, where it sometimes was thrown off, sometimes simply died out, so that the existing local authorities gradually grew into sovereign authorities, and the municipal liberties of a province or a city grew into the absolute independence of a sovereign people. These states were in fact formed rather by separation from an existing government than by revolution in an existing government. Their growth has commonly made a change in the map of Europe or of the world as well as a change in the political constitution of some one of the existing states of Europe or of the world. It would seem, in short, that a commonwealth is more likely to be successful when it is formed by splitting off from some larger whole, than when the whole itself deliberately changes its form of government. Many principalities and kingdoms as well as commonwealths have been formed in this way; over and over again in the history of the world have huge dominions split into pieces, through the governors of distant provinces, the satraps, pashas, dukes, counts, or nabobs, throwing off their allegiance to the common sovereign, first practically and then openly. The process is exactly the same as that of which I am speaking in the case of commonwealths. In either case the immediate authority is not changed, but what was before local and subordinate gradually becomes sovereign.

This process of forming principalities and commonwealths, by splitting off from a greater whole, may even go on in the case of principalities and commonwealths side by side. It did so in the case of the states, monarchic and republican, which split off from the old German Kingdom, and many of which have now come together again to form the new German Empire. Step by step, lieutenants of the King, landowners great and small, prelates and ecclesiastical corporations, shook off the authority of the common sovereign, till he became something between a nominal feudal lord and the president of a lax confederation.* The new princes grew, till, almost within our own day, some of them took upon themselves to become kings on their own account. But while this process was going on with principalities, it was also going on with commonwealths, and it is with the commonwealths that we are now most concerned. The free cities of Germany, the commonwealths of Switzerland, both cities and lands (*Städte und Länder*), all arose in this way, by the royal authority dying out, and by the local authority, aristocratic or democratic, thereby becoming sovereign. There was no moment when the people of any German city or any Swiss canton deliberately said, 'We will be a republic,' and drew up a wholly new constitution accordingly. They might from time to time have to make changes in the powers and constitution of their magistrates, councils, and assemblies; as the royal power became weaker and weaker, the local power became stronger and stronger; the city or district became an independent commonwealth, instead of a municipality. But there was no moment when they had to create

* [One must not forget that the German kingdom had first of all grown out of the union of several national powers. This fact doubtless made the process of dissolution easier; but it did not affect the nature of the process. And the states which came out of the dissolving process had very little in common with the states by whose union the kingdom had been formed.]

magistrates, councils, and assemblies, all fresh, to take the place of a royal power which they had altogether cast aside. Indeed it cannot be said that the royal power ever was cast aside. The cities and lands had commonly to defend their rights, not against the Emperor but against some neighbouring lord. The Emperors often found it their interest to favour the freedom of the growing commonwealths, as some counterpoise to the more dangerous power of the princes. The city or district did not think of claiming complete independence; its object was to win for itself the *Reichsfreiheit*, the *Reichsunmittelbarkeit*. That is, it would have no lord between it and the Emperor; in other words, it would have no king but Cæsar. Such a condition amounted to practical independence; but such independence did not sever the formal tie between the commonwealth and its Imperial lord. In the case of those cities which remained within the boundaries of Germany in the later sense, the connexion between the Emperor and the cities—a connexion closer and more friendly than that between the Emperor and the princes—lasted till the Empire fell in pieces altogether. A coin of Hamburg in the last century, with the Towers of the city on one side and the Eagle of Cæsar on the other, is a speaking sign of the way in which a commonwealth could combine full practical independence with the formal acknowledgement of a lord. For in truth it was not Cæsar, but the Count of Holstein, who was dangerous to the commonwealth of Hamburg. The Swiss cities and lands went a step further; indeed it is the fact that they did go a step further which makes the difference between Germany and Switzerland. Switzerland, the old Switzerland, the Thirteen Cantons, is simply that part of Germany where the commonwealths did take that further step. There the royal power did utterly die out, partly no doubt because, when kingship and Empire were lodged in the hands of Austrian archdukes, they were no longer the harmless and friendly powers which they had been in the

hands of Frederick of Hohenstaufen and Lewis of Bavaria. When the Confederates refused to have anything to do with the new institutions of Maximilian, when they refused to submit to the jurisdiction of the Imperial Chamber, we may look on their practical connexion with the Empire as coming to an end. But the tie was not formally broken till the solemn acknowledgement of their independence at the Peace of Westphalia.

The commonwealths of Germany and Switzerland thus set before us one side of the process of which we speak, how commonwealths may best be formed by the dying out of kingly power, without its being overturned by revolution, even without its ever being formally abolished. Happily those commonwealths are not able to give an example of its other side, of the way in which a commonwealth may pass in the same way, silently and stealthily, under princely rule. They have shrunk up into oligarchies within, or they have been suppressed bodily from without; but no renegade aristocratic or democratic leader has ever founded a permanent dominion as prince or tyrant in any Swiss or German city. The Italian cities which also split off from the Empire teach us both how freedom may be won and also how it may be lost. In any Italian city it would be hard to say at what exact moment the Imperial power finally came to an end, as the Emperors so commonly kept certain external rights, sometimes profitable, sometimes honorary, long after the commonwealths enjoyed full internal independence. But there is this difference between the Italian and the German examples, that in so many cities of Italy, in all that ever formed part of the Lombard League, their liberties were largely won by an armed struggle against the Emperors. Still even here there was no one moment when a republican constitution was set up as something fresh and complete. By the peace of Constance, Frederick Barbarossa practically acknowledged the independence of certain revolted commonwealths; in form he put forth a law—a novel—for the regulation of

certain cities of his dominions. The Milanese themselves would have been amazed if they had been told that they had broken all ties with the Roman Empire and the Roman Cæsar. In fact, in the cities of Northern Italy we can hardly say that there was any time when they were absolutely free at once from the external sovereign and from the internal tyrant. But as the power of the sovereign died out step by step, so the power of the tyrant grew up step by step. In some cases doubtless, in mediæval Italy as in old Greece, the tyrant reigned by sheer force; but he was more usually a leader of one party or another, who obtained a power which was inconsistent with freedom, and which gradually grew, first into an acknowledged lordship, and then into an hereditary principality. Florence, whose day of greatness was later and longer than that of the Lombard cities, gives us the best examples of the stages by which a family of popular leaders could grow into a princely house. The power of the Medici grew up even more stealthily than the power of the Cæsars; for the Cæsars received special commissions and combined powers which were meant to be checks on each other, while the power of the Medici began in a mere power of influence. Yet it was an influence which soon became hereditary, so truly hereditary that it could pass to the great Cosmo's incapable son, and could be exercised by others on his behalf, just as if it had been a power known to the law. In the next generation Lorenzo begins to have the feelings of a prince, and when the family are driven out in the generation after that, they begin to be looked on, not as ordinary banished citizens, but as princes deprived of their inheritance. In fact, each time that they are driven out they seem, in their banishment, to draw nearer to the character of acknowledged princes. After the final fall of Florence, she has to receive one of the now hated house, with the title of Duke, with the power of tyrant, though he is even now in name, like the Duke of Venice or Genoa, Duke of what is still called a commonwealth. One stage more, and Florence

vanishes as a separate state, and becomes simply the capital of a Tuscan Grand Duchy. All this came step by step. Had it been proposed a hundred years earlier openly to abolish the democratic constitution, and to make Cosmo Duke of an avowed principality, most likely not a vote, certainly not the vote of Cosmo himself, would have been given for such a scheme.

The near neighbour of Italy, the mistress for so long a time of no small portion of her soil, the commonwealth of Venice, gives also, in its long history, some of the best examples of a gradual change from one form of government to another. Her Dukes first gradually changed from lieutenants of the Eastern Emperor into princes of a virtually independent state, and then from princes into republican magistrates. In this last character they were watched more closely as to their actual powers than other republican magistrates, because, in the titles which they bore and in the duration of their office, the shadow, and now and then the substance, of their old princely powers still clave to them. So again, in the constitution of the councils and assemblies of the commonwealth, it was only step by step, by a series of enactments and by their gradual practical effects, that there arose that rigidly oligarchic Great Council by whose side the old popular assembly gradually died out without ever being formally abolished. In the thirteen hundred years of her history, Venice went through endless changes in her form of government, without ever starting altogether afresh. It would be hard to fix the exact moment at which she ceased to be part of the dominions of the Eastern Cæsar. It would be equally hard to fix the exact moment at which the oligarchic element in her internal constitution finally swallowed up both the princely and the popular elements. The law is the same, whether a prince is to be overthrown or a prince is to grow up, whether a people is to break down the privileges of an oligarchy or an oligarchy is to set aside the ancient rights of a people. In either case, where the

work for good or for evil has been lasting, we shall find that it has not been the work of a moment of revolution, not the work of theoretical reformers who have pulled down one thing to the ground and built up another in its place. It has rather been the work of men who, whether they were serving their own interests or those of the state, whether they were guided by happy instinct or by a conscious conviction, practically knew that the system which they set up would be more stable and more lasting, if it could be made to grow out of the system which it supplanted, instead of suddenly taking its place.

Let us take the case of another famous European commonwealth, which shone for a while in European history with a brilliance quite out of proportion to its lasting physical strength. The Kingdom of the Netherlands, the successor of the Confederation of the United Provinces, would probably, like the kingdom of Sweden, hold a higher position in Europe than it now does, if it had held a somewhat lower position two hundred years back. But, however this may be, this small corner of the world, once so mighty and still so flourishing and peaceful, gives us further examples of the same law which we have been tracing throughout. Like the other confederation at the other end of the German kingdom, Holland, Zealand, and their sister provinces, were simply members of that kingdom, which circumstances caused to split off from the main body, and thus to found a new state and a new nation. The process of separation however was different in the two cases. The Seven Provinces, along with the kindred provinces to the south of them, became gradually united in the hands of the Dukes of Burgundy, and the Dukes of Burgundy, by the accidents of female succession, grew into Kings of Spain. States of the Empire held by such princes as these virtually ceased to be states of the Empire. Their momentary reunion with the Empire under Charles the Fifth, their separation from it at his abdication, only helped to show where the true power of Charles really

lay, how weak the Empire was when the Emperor was mightiest. Having virtually fallen away from their Imperial overlord, they next fell away from their immediate sovereign, or rather they did not fall away, but were driven away. The first founders of the commonwealth did not begin with any wish to abolish princely government, or even to throw off the authority of the particular prince whom so strange a chain of accidents had given them. Had Philip of Spain chosen to govern his distant dependencies according to law and justice, they would assuredly not have revolted against him, either to get rid of kings altogether or to exchange the King of Spain for any other king. The distant dependency of a powerful state, if ruled in strict conformity to its own laws, has a strong tendency to loyalty. Such a state unites in a great degree the freedom of a small state with the security of a great one; the distant master is not so much a master as a powerful ally and protector. If Philip had simply known how to deal with his distant possessions, they might have remained as warmly attached to Spain as Bordeaux and Bayonne were to England in the fifteenth century, or as the Channel Islands are in the nineteenth. It was long before the revolted provinces formally threw off their allegiance to Philip; when they did so, their first object was to seek a prince elsewhere; they drifted into a republic simply because neither England, France, nor Austria could give them a prince fit for their purpose. Then again a time came when the contrary process began to work, when, in the hereditary Stadholder, a step was taken towards a return to princely rule. Then came the time when the United Provinces were swallowed up in the general chaos, and came out of it at last with the hereditary Stadholder changed into an acknowledged king. In such a history as this we might almost forget to notice that, at a time long after the provinces had grown into a practically independent state and into a practically separate nation, among the changes made at the Peace of Westphalia, their

immediate sovereign, King of Castile, Duke of Burgundy, Count of Holland, and all the rest, and their overlord the King of Germany and Roman Emperor-elect, both formally acknowledged that no jurisdiction over the Seven Provinces belonged to either of them in any of their many characters. Here again the central, or rather external, authority was thrown off, and the authority of the immediate sovereign was thrown off only by dint of a long and fearful war. But even in this case things did not start again from the beginning. The authorities which had been local and subordinate now became national and sovereign; the officer who had been the representative of a prince became the chief magistrate of a commonwealth; a new bond of union was put in the place of the old; a new state and a new nation were founded. But the continuity of the essential institutions of the country was never broken till the later days of foreign invasion; it was in fact to preserve those essential institutions unbroken that the authority of a sovereign who disregarded them was cast aside.

We may even go a step further, and appeal to the example of the great English commonwealth beyond the Ocean. The United States certainly separated themselves from the Crown of Great Britain by a single formal act, by an act which largely appealed to first principles, by an act which, as compared with the history of the United Provinces, came early in the struggle for independence. But the example of the United States none the less shows that the most successful commonwealths are those where the state and the nation are founded together, where a government which was formerly municipal becomes sovereign by casting off the external power, and where no more change is made than is really needful for the object in hand. The separation of the United States from England was sudden as compared with the separation of Switzerland from the Empire, or even with that of the United Provinces from Spain. But it was not done hastily; the Declaration of Independence was not the first act of the

war; still less was it the first act of the struggle. A new power, a new nation, was formed by the union of the thirteen colonies, which before had been united only by common allegiance to the British Crown, into a Confederation, joined together, first by a laxer, then by a closer, federal tie. And in the Federal Constitution which in the end was formed, we ought, under the circumstances, to be far more struck by its points of likeness than by its points of unlikeness to the constitution of the mother country. As at Rome, the kingly power was not abolished. It was simply transferred from a hereditary chief holding his office for life to an elective chief holding his office for a term. The chief so chosen was clothed with powers certainly far smaller than those with which the written law clothes an English king, but certainly far greater than any powers which the conventional constitution allows an English king to exercise according to his personal pleasure. The authors of the American Constitution lighted on the truth that, whatever may be thought of the system of two Chambers in an ordinary kingdom or commonwealth, in a Federal State the two Chambers are absolutely necessary, if the two elements in a Federal system are both to be fairly represented. But we may doubt whether this truth would have been so clearly brought home to their minds, if they had not been familiar with the system of two Houses, both in the mother country and in many of its colonies. Even as regards the Federal Constitution, where there was necessarily most change, there was as little change from the English model as circumstances would allow. But it is not in the Federal Constitution, which, as a treaty between independent States, was necessarily what is called a paper constitution, that we are to look for the real continuity of the United States. We must look for it in the States themselves. By virtue of the Declaration of Independence, each of the colonies changed from a dependency into a sovereign State. But it was not thereby called on to break with the past, and to begin its political life afresh.

As with the Swiss Cantons, as with the Batavian Provinces, the governments which had before been dependent and municipal went on as independent and sovereign. Each State made such changes in its constitution as it found expedient; some change was needed wherever the Executive had in the days of dependence been nominated in the mother country. But the mere title of Governor, still the title of the chief magistrates of the several States, a title whose sound seems to tell of dependence and monarchic rule, is, like that of Stadholder, a remarkable witness to the continuity between the dependent government of the Colony and the sovereign government of the State. In Rhode Island above all, where the colonists always chose their own executive and where the whole constitution of the colony was highly democratic, the new State went on under the unchanged Charter of Charles the Second far into the present century. The original constitutions of the States were by no means drawn up closely according to one pattern, and some of them were very far from being examples of extreme democracy. The points in which the States, or any of them, have, whether for good or for evil, departed most widely from English models, are due mainly to later changes, and not to anything that was done at the time of the separation. Still all has been done in the way of gradual and regular legislation. The change at the time was as small, the breach was as slight, as well could be under the circumstances. The gap between dependent and independent America, though it involved not only a change in the form of government but the formation of a new power and a new nation, is hardly so wide as the gap which divides France under her old kings from France under any of the shifting forms of government which have risen and fallen since her great Revolution.

We may end our examples by coming down from the greatest of commonwealths to one of the smallest. Two of the great nations of Europe now call themselves republics; one of the greatest European questions is whether re-

publican forms can live and thrive in either of them. It has perhaps not come into the mind of the statesmen of either France or Spain that an old unchanged republic lies between them. No telegram, no special correspondent, ever deigns to tell us, but the students of political science would be glad to know, with what feelings the ancient commonwealth of Andorra looks at such a moment as this upon the younger sisters on either side of her. France and Spain are republics of yesterday, republics founded on theories; Andorra is a republic of the same class as living Uri and fallen Dithmarschen, a commonwealth which has kept its local freedom while the central power has fallen asunder. Such another is San Marino, which it is to the honour of the kingdom which surrounds it to have left in full enjoyment of its immemorial rights. Andorra indeed is not a perfectly independent state; it has always had an external lord or an external protector. But so had Dithmarschen; so had Uri, till the superiority of the Emperors was formally abolished. The superiority, or rather protectorate, of the Bishops of Urgel and the Counts of Foix did not interfere with the internal independence of the commonwealth. Neither does the protectorate which, having been held by several Kings of France in their character of Counts of Foix, has, by what right is not very clear, passed not only to French kings but to French commonwealths and tyrants. Andorra, like most other parts of the world, may possibly need changes within, but she is not likely to seek to better herself by incorporation with either of her greater neighbours. The question rather is whether France or Spain might not be led to seek for peace and stability in incorporation by Andorra.

I may here meet two possible objections which in truth are only two forms of the same. It may be asked whether the only way of forming republics is by division, by making states smaller in days when the general tendency of things is to make states larger. I answer that the experience of

Europe for the last six hundred years certainly shows that the most successful commonwealths have been those which have split off from larger states, but that it also shows that no states have had so strong a tendency to grow as these same commonwealths when they have split off. It is in the nature of a federation, whenever its geographical position allows it, to be constantly annexing new members or throwing off new branches. This is true alike of Achaia, Ætolia, Switzerland, and the United States. Only in the Ætolian and Swiss cases there was the great blot—redressed in the present state of things in Switzerland—that so much territory was annexed in the form, not of equal confederates, but of subject districts. Of this last evil there at least is no chance in our times. All modern states, whatever their form of government, make it their principle to admit all their members—save where geographical position makes it impossible—to equal rights. And again it may be asked whether my argument shows that it is absolutely impossible for an existing kingdom to exchange its monarchic form of executive for a republican one. I answer that the experience of modern Europe certainly shows that the process is easier in cases where a province asserts its independence of the common king, than when a whole state changes its form of executive from monarchic to republican. But modern experience does not prove that the latter process is impossible, while the examples of the ancient commonwealths clearly show that it is possible. What my argument goes to show is that it is a thing not to be done either lightly or hastily, not to be done out of mere love of a theory, but only if practical needs plainly call for it. And, when the change is made, it will be wise to let it be done as smoothly and warily as possible, and, if it can be, to leave other changes that may be needed to be matter for future legislation. I am far from saying that either a French or a Spanish Republic is impossible, though it certainly strikes me that a separatist kingdom in the North of Spain and a separatist commonwealth in the South have

either of them more chance than a commonwealth taking in the whole country.*

There is moreover one feature of modern times which affects all these questions. In our state of publicity and discussion and what we may call universal consciousness, it is hardly possible for circumstances to work, and for changes to be made, in the same silent and gradual way in which they were made in simpler states of political life. The virtue of all those cases of gradual change of which we have been speaking lies in the fact that each stage, in whatever direction, came of itself as it was wanted at any particular time; none of them were, or could have been, planned beforehand. The men of the Three Lands, when they made their League in 1291, took a step which led in the end to the separation of themselves and their neighbours from the Empire and to the creation of a new European nation. But they most certainly dreamed of nothing of the kind; and, if they had dreamed of it, and had tried to do it all at once, they would most certainly have failed. In our state of things we cannot always act in this way. They carried out part of a whole, because they had no idea that it was part of a whole, because they simply did what was needful in their own times, without thinking of what might be needful in times to come. We live faster than they did; we see further than they did. We cannot, if we would, help planning and making theories in a way which never came into their heads. If we change at all, our changes must be more sudden, more complete, more conscious, than theirs. Still we may learn some lessons from the experience of past times: we may learn the lesson that, whenever changes in forms of government are necessary, it is well to take care that nothing is changed for the mere sake of change, that such changes only are made as the practical needs of the case clearly call for.

It may perhaps be said that, in some late revolutions,

* [I leave these words as I wrote them. None of these possible or impossible things have actually happened.]

this is exactly what has been done, that, among the late changes in France, and even in Spain as far as formal enactments are concerned, there has been no such general breaking up of everything as there was in France at the time of the great Revolution. The confusions in Spain, it may be said, are not so much owing to any changes made by the new republican Government as to two parties in opposite directions which refuse to accept the new republican Government. It may be said that both in France and in Spain something very like the old relations between the Executive and Legislative powers go on, notwithstanding the removal of the monarchical head. There is, as there was before, a Ministry whose chief and whose other members appear in the Assembly, announce their policy, make their explanations, receive the approval or the censure of the Assembly for their conduct. In France again, whatever we may say of Spain at this moment, the general local administration of the country goes on exactly the same, notwithstanding all wars and revolutions. Now this last fact, as I have already said, is the thing of all others which most needs changing. And, though France will assuredly do best by starting from the point where she actually is, yet the form of the Executive, if it can be said to have any form, is one of the first things to be got rid of. The continuance of something like the ordinary relations between Ministry and Parliament is, under the existing state of things, not a good but a bad feature. The relations between the French Executive and Assembly are essentially unstable. In England we can change our actual rulers at any moment by a vote of the House of Commons.* A change of Ministry, a 'change of Government' as it is now more ominously called, is really no interruption to the ordinary course of government. The whole machinery of the public administration goes on just the same during a 'ministerial crisis' as at any other time. There is no break; there is no interregnum; the old Ministers go on with their duties

* [It can now be done by a vote at the polling-booths.]

till the new Ministers are actually clothed with their office; the administration of justice, the regular carrying on of the endless branches of public business throughout the country, suffers no interruption, no shock of any kind. But this is because there is something behind the actual rulers, because, beyond the changing ministers, there is the Sovereign who remains unchanged, and in whose name everything goes on just as usual, whoever his advisers at headquarters may be. Here is the great advantage of a constitutional monarchy; it gives one form of stability. In the United States again, from another cause, a change of government, though perhaps more serious than in England, involves no break, no interregnum, no general upsetting or shaking of things. The old President stays on till the day when his term of office comes to an end, and then the new President, already elected, takes his place. Here is another form of stability. It is purchased indeed by the disadvantage that there is an Executive and a Legislature, each of which, as being chosen by popular election, may alike claim to represent the popular will, and neither of which can get rid of the other during the time for which it is chosen. It is therefore, as experience has shown, perfectly possible for the executive and the legislative branches of the government to be almost in a state of war during a whole presidency. The advantages and disadvantages of these two systems may be balanced against one another, and both may be compared with that third form which knows no personal chief, whether hereditary or elective, but which vests the executive power in a Council chosen by the Assembly for the term of its own being, and whose members can appear and join in debate in either house of the Assembly at pleasure.* But there can be little doubt that any of these systems is better than that which lacks the stability alike of King, President, and Council. There is nothing revolutionary about the process by which an English Minister is made to feel that he had better resign, and an English

* [See the Essay on Presidential Government in the First Series.]

King is made to feel that he had better accept his minister's resignation. There is nothing revolutionary about the process by which a new President in America, a new Federal Council in Switzerland, succeeds to the one which has just gone out of office; but there is something revolutionary about the process by which Marshal MacMahon has succeeded to M. Thiers, and by which somebody else may succeed to Marshal MacMahon. An Executive of this kind is a sort of confusion between the English and the American idea, and it certainly does not possess the advantages of either. Under no system is the legislature so constantly tempted to neglect the practical work of legislation for movements to keep in or to turn out this or that executive chief. Under no system is the executive chief himself placed under such constant temptations to attempt an illegal extension or prolongation of his powers. The ministry, the cabinet, the ministerial crisis, are all things belonging to the subtle conventional system of a constitutional monarchy; in an avowed commonwealth they are out of place.*

Another point is that, because Spain has fallen into a state of great confusion at the moment of the announcement of

* [A good deal has changed since this was written, largely owing to the modest discretion of the late President, M. Grévy. There was certainly nothing revolutionary in the way in which he was succeeded by M. Carnot, and the remarks in the text certainly do not apply to either of them. But the incongruity of the position of the President in the French system has been brought out only the more strongly. The constitutional king succeeds by hereditary right. There is therefore no security for his having any qualifications for government. He therefore does not govern, but only reigns; a Minister acts in his name. The American President is elected—presumably on account of his capacity for government. He is therefore allowed—one may fairly say so, with the needful limitations—to govern; at all events he is allowed to come much nearer to governing than the constitutional king does. The French President is elected—presumably again on account of some personal qualification; but he does not govern, at least not ostensibly. He has a Ministry set over him, just like a constitutional king.]

the Federal principle as one to be followed in the new state of things, shallow people are of course beginning to cry out that here is a proof of the badness and weakness of the Federal principle everywhere.* Of course, if any one had ever said that a Federal form of government was the best for all times and places, there would be force in the argument. But as no sane person ever maintained that a Federal form of government, or any other form of government, was the best for all times and places, the question is simply whether a Federal system is or is not suited to the circumstances of Spain in the nineteenth century. Hitherto confederations have been formed, not by dividing what was already more closely united, but by joining more or less closely what was before more widely separated. This is the history of the great Federal states of Europe and America. The states of which they were formed had very often already split off from some central power, but the object of the Federal tie was to bring them gradually to form a new power. Its effect has generally been to bring them nearer and nearer together; and, if it should so happen that either Switzerland or the United States should ever forsake the Federal form of their constitutions, and should form themselves into indivisible commonwealths, that will be no argument against the Federal system, in its proper time and place, but quite the contrary. A number of separate units which could not have been forced into one whole by any sudden process, will have been gradually fused together by going through the intermediate stage of a Federal union. I myself greatly doubt whether Switzerland can be made into a perfectly united state, except at

* [Here again is the most remarkable of all changes. Since the text was written, the name of 'federation' has become one of the most popular of all names. Only, when it has any meaning, it seems to have definitely taken a meaning which is the opposite to that which it used to bear. The Spanish case referred to in the text would seem to be the first case, or proposed case, of a process of what we have heard a good deal lately, that of disruption calling itself federation.]

the cost both of the Romance and of the Catholic cantons. But, if it can be done, it will prove, not the weakness of the Federal tie, but its strength; it will show how strong that tie has been in binding together what could not have been bound together in any other way. But the Spanish experiment is of a directly opposite kind; Federalism there does not mean closer union but further division. Never before in European history have the provinces or counties or departments of a consolidated kingdom or commonwealth deliberately set to work to undo the closer tie, and to fall back upon the form of independent cantons of a confederation. The late German Confederation certainly arose out of the fragments of a kingdom, but it arose by putting together fragments which had already split asunder. The old *Bund*, lax as was its union, awkward as were its forms, was still, when it was set up, a step in the direction, not of division, but of consolidation. But the Spanish experiment is like nothing which has ever before been tried in Europe. If it fails, its failure cannot prove anything against former experiments of a wholly different kind which have succeeded. If it succeeds, it will have established a new truth in the science of politics, namely, that a Federal system may succeed under circumstances unlike any under which such a system has ever been tried before. A Federal union may be looked on as the half-way house between total separation and perfect union. But it is the nature of a half-way house that people should meet at it whose faces are turned different ways. And it often makes all the difference in the world as to success or failure in which way a man's face is turned. The people who have begun to babble in this kind of way seem not to have learned this very simple truth.

'Stand fast in the old paths;' 'Respect the wisdom of your forefathers;' are the sayings which the dull Conservative throws in the teeth of Reformers. If his scholarship goes as far as a little ecclesiastical Greek, he perhaps adds τὰ ἀρχαῖα ἔθη κρατείτω. All these are very good say-

ings; but it is to the Reformer and not to the Conservative that they belong. The Reformer obeys them; the Conservative tramples them under foot. The wisdom of our forefathers consisted in always making such changes as were needed at any particular time; we may freely add, in never making greater changes than were needed at that particular time. The old path was ever a path of reform; the ancient customs will ever be found to be far freer than these modern innovations which men whose notion of the good old times does not go back beyond Charles the First or Henry the Eighth fondly look upon as ancient. If a man will cast aside the prejudices of birth and party, if he will set himself free from the blind guidance of lawyers, he will soon learn how very modern indeed is the antiquity of the Tory. All his idols, game-laws, primogeniture, the hereditary king, the hereditary legislator, the sacred and mysterious nature of anything that is called 'Royal Highness,' the standing army with its commands jobbed for money*—all these

* [Here at least there has been one reform in later times. Purchase has been got rid of, but the way in which it was got rid of has given rise to some strange misconceptions. It was said over and over again that Mr. Gladstone abolished purchase by an act of 'prerogative.' He did nothing of the kind. It is perhaps not very easy to define 'prerogative'; but the name is surely out of place when it is applied to the exercise of powers conferred or retained by the express words of an Act of Parliament. This was the case with the abolition of purchase. By the terms of a statute of George the Third, the Crown could abolish purchase at any moment. If Mr. Gladstone had made use of that power in the first instance, nothing could have been reasonably said against him; very likely nothing would have been said. Men might have objected to the abolition of purchase; they could not have objected to the way in which it was abolished. What gave the act an ill look was the falling back on this power when an attempt at abolition by Act of Parliament had failed. But 'prerogative' had nothing to do with the matter. The process always reminded me of the way in which the House of Commons in the Long Parliament, when the regular impeachment of Strafford broke down, brought in a bill of attainder against him. The bill of attainder would have looked much less ugly if it had been brought in first of all, without any impeachment.]

venerable things are soon found to be but things of yesterday, by any man who looks with his eyes open into the true records of the immemorial—there are lands in which we may say the eternal—democracy of our race. The two grand idols of lawyers, the King and the Lord of the Manor, are soon found to be something which has not been from eternity, something which has crept in unawares, something which has gradually swallowed up the rights and the lands which once belonged to the people. Do I plead for any violent dispossession of either? There is no man from whose mind such a thought is further removed. Whatever exists by law should be changed only by law, and when things, however wrongful in their origin, have become rightful by long prescription, even lawful changes are not to be made hastily or lightly. But it is well to remind babblers that the things which they most worship, which they fondly believe to be ancient, are, in truth, innovations on an earlier state of things towards which every modern reform is in truth a step backwards. It is well to remind them that the prerogatives of the hereditary king, of the hereditary noble, of the local territorial potentate, can all of them be historically shown to be encroachments on the ancient rights of the people. It does not follow that anything is to be changed recklessly; it does not follow that anything need be changed at all. But it does follow that none of these things is so ancient and sacred as to be beyond the reach of discussion, that none is so ancient and sacred that it is wicked even to think of the possibility of changing it. I see no reason to meddle with our constitutional monarchy—that is, to make a change in the form of our executive government—because I hold that, while it has its good and its bad points, its good points overbalance the bad. But I hold that a man who thinks otherwise has as good a right to maintain his opinion, and to seek to compass his ends by lawful means, as if it were an opinion about school-boards or public-houses or the

equalization of the county and borough franchise.* I respect the kingly office as something ordained by law, and I see no need to alter the law which ordains it. But I can go no further. I cannot take on myself to condemn other nations, nor can I hasten to draw general inferences from single instances. But I do hold that the witness of history teaches us that, in changing a long-established form of executive government, whether it be the change of a kingdom into a commonwealth or of a commonwealth into a kingdom, the more gently and warily the work is done, the more likely it is to be lasting.

* [Later changes have made discussion on this point idle. We have happily got rid of the privileges of the Rape of Bramber, the hundred of Bassetlaw, and such strangely favoured districts. But need such a change have carried with it the cutting up of the whole country into small divisions? Need it have carried with it the cutting down of London to two representatives and of Exeter to one, or have brought in a state of things in which no man can call himself member for the whole city of Bristol?]

XX.

THE CONSTITUTION OF THE GERMAN EMPIRE.*

WE are going to aim at a mark which is somewhat hard to reach—namely, to try to look at the main result of the great struggle which has just turned Europe upside-down as a matter of purely dispassionate and scientific inquiry. We have before us the original text of the Imperial German Constitution, the *Verfassung des deutschen Reiches*, and we wish to examine it with as calm and critical an eye as if we had lighted on the earliest constitution of Phôkis or Lokris in a newly-discovered fragment of Aristotle.† It is not simply the latest form of political being which has been chosen by what is now the foremost nation in Europe. To the scientific student of these matters it is something more. It is the first real attempt to solve a problem which has often suggested itself to political thinkers; it is the first ascertained example of a form of government which has often been spoken of as possible, but which has hitherto existed in theory only. It is a confederation—even in becoming a *Reich* it has not cast aside the name of a *Bund*—yet its constitution is not republican, but monarchic. Its chief is an hereditary king who, in virtue of his chieftainship, has been clothed with the rank of Emperor; its other members are mainly monarchies ruled by kings, dukes, or other princes; three only are free cities, whose constitutions are of course republican. Now for ages past all the chief federal systems of the world, Achaia, Switzerland,

* [1871.]

† [Pity that, instead of Phôkis or Lokris, I did not dream of the coming Athenian discovery. Only that is not federal.]

America, and a crowd of others of less fame, have all been republican. For an union of princes really worthy to be called a federal system we shall look in vain in the pages of undisputed history. It has always been plain that the thing might be; but for actual examples the student has had to grope into distant or mythical times or places, to flatter himself that something of the kind might possibly be found in the days of the Twelve Kings of Egypt or the Seven Lords of the Philistines, or, at the very least, among the Tetrarchs of Galatia. If it be objected that the German Confederation which vanished in 1866 and on the ruins of which the present Empire has grown was a confederation of princes, the answer would naturally take the form of a question whether that body was, in any strict sense, a confederation at all. At the outside it was only a *Staatenbund*, while its present successor at least aims at being in the strictest sense a *Bundesstaat*. It has its Federal Executive and its Federal Legislature, with its two Houses, the one representing the States as States, the other representing the nation as the nation, just as naturally as America and Switzerland. The nature of the Executive and that of one House of the Legislature are widely different from the Swiss and American models, and the functions of the different powers of the *Bund* are by no means the same in the Empire as they are in the two commonwealths. Still there it is, an union of States with a Federal Executive and a Federal Assembly of two Houses. If it does not answer the perfect Federal ideal, it at least comes so near to it that it would be mere pedantry to refuse it a place among federal systems. Yet, if it be a confederation at all, it is eminently a monarchic confederation. Its President is an Emperor, and one House of its Legislature is chiefly made up of Kings and Dukes or their representatives.

The fact that the chief of the new League or Empire is an hereditary king is the most obvious difference between the new League and its republican fellows. It is a difference on the surface which every one can see at a glance.

But in truth it helps to hide a difference which is really more important still. It is not merely that the powers, and more than the powers, which America gives to its President, and Switzerland to its Federal Council, are given to an hereditary chief. Something like an hereditary chief of a Confederation had already been seen in the Stadholder in the commonwealth of the United Provinces. Though such a form of Executive may seem eccentric, there is nothing in it abstractedly contrary to any federal principle. The arguments for and against hereditary succession would be very much the same in a federal government as the arguments for and against it in any other government. The really more important point is that the hereditary chief of the Empire is also the hereditary chief of one of its States, and that incomparably its greatest State. The rank of German Emperor, with the Federal authority vested in that office, is attached by the constitution to the crown of Prussia.* This is the real novelty. No doubt under the old German *Bund* the presidency was vested in Austria.

* [The Imperial crown was accepted by the first Emperor William for himself and his successors in the kingdom of Prussia. This suggests a question. If the house of Hohenzollern should become extinct, and the Prussian Parliament should raise some other family to the crown, must the Empire accept the new Prussian king without having any voice in the matter? The question would be harder still if Prussia should at any time dispense with kings altogether.

At the death of the Emperor William the First, Prince Bismarck announced that 'the Imperial Crown of Germany had passed to Frederick the Third, King of Prussia.' This was perfectly accurate. To know who was the new Emperor, it was first necessary to know who was the new King of Prussia, and the proper description of the new King of Prussia was undoubtedly Frederick the Third. But the newspapers at once began to talk about 'the Emperor Frederick the Third.' Now in reckoning the holders of the new Empire, either the old Emperors and Kings are to be reckoned, or they are not. If they are not to be reckoned, the second Emperor was undoubtedly Frederick the First. If they are to be reckoned, he was Frederick the Fourth, or, according to Austrian measure, Fifth. In no case could he be Frederick the Third in the Empire. The Emperor Charles the Fifth was Charles the First in Castile and Aragon.]

But then the League was so much laxer, and the powers of the federal President were so much smaller, that there is no great likeness between the two cases. In this case the presidency of the League, with very important powers indeed, is vested in a chief, who is not chosen by the Federal Legislature or by the League itself in any shape, a chief whose feelings and interests are necessarily bound up with one particular State of the League, and that the State which is more powerful than all the rest put together. To translate from royal into republican language, it is as if the Governor of the State of New York should be *ex officio* President of the United States. We know not whether this analogy ever struck any one before, but, so far as the arrangement of the several federal powers and their relations to one another are concerned, the analogy is exact. The real difference between the two cases is that in the German case the hereditary nature of the presidency goes far to counterbalance the evils which would be so glaring in our supposed American case. The absurdity of the Governor of New York being *ex officio* President of the Union need not be pointed out. It would be far worse than the privileges of the *Vorort* in the old state of things in Switzerland, because the powers of the American President are so much greater. The President so chosen would be almost sure to direct the policy of the Union, so far as he had the means of guiding it, to the interest of his own particular State and not to that of the whole Union. He would be almost sure to be chosen for the direct object of so doing, and that object would be only the more consciously followed because New York, though the greatest State in the Union, is by no means so much greater than the other States as Prussia is greater than the other German States. Hereditary succession, whatever may be said against it, is really likely to do much to lessen evils of this kind. The chief of the German Empire, not being chosen at all, will at least never be chosen with any particular factious motive. Succeeding by right of birth to the Imperial crown of Germany as well

as to the local crown of Prussia, brought up, it may be hoped, with a view to the greater post as well as to the smaller, a German Emperor may easily learn to feel as a German and not merely as a Prussian. He may learn to make the interests of the lower office, if the two should ever clash, yield to those of the higher. If the headship of the League is to be attached to the headship of a particular State, it is plain that in this case monarchical forms have an advantage over republican forms. The hereditary Emperor may easily rise above any temptations to sacrifice the interests of his Empire to those of his kingdom. The analogous temptations could hardly be withstood by Bœotarchs chosen by Thebes only to be federal magistrates of all Bœotia.

In fact, under the circumstances in which the North-German League was founded, the presidency, or rather the supremacy, of Prussia was a thing which could not be helped. It was in fact, and it could not help being, so undisguised a supremacy that it hardly occurred to political thinkers to discuss the North-German League, while it remained a North-German League only, as a real example of a federal system. It had the form of a League; it was hardly possible that it could have the spirit. The accession of the Southern States, States not at all the equals of Prussia, but still quite strong enough to have a will and a voice of their own, has brought the German League or Empire much nearer to the true federal type than its North-German forerunner. And this is the case none the less because the accession of the Southern States has carried with it a certain departure from strict federal forms. It is certainly against the idea of a perfect federation that any of its States should have exceptional privileges, or that Federal law, within its own range of subjects should not have the same authority in every corner of the lands forming the Confederation. Yet the German Empire is placed in this position by the accession of Bavaria. Bavaria was strong enough to make her own terms, and to

stand out for privileges which certainly are inconsistent with general federal principles. The result is the insertion in the German Constitution of such a curious proviso as the following, for which in the merely North-German Constitution there was no place. In describing the functions of both the Houses of the Federal Legislature, the *Bundesrath* and the *Reichstag*, provision is made for certain cases where matters shall be discussed which are not common to the whole League. In these cases the members for those States which are not concerned are not to be allowed to vote. Thus the 28th Article of the North-German Constitution stood thus :—

'Der Reichstag beschliesst nach absoluter Stimmenmehrheit. Zur Gültigkeit der Beschlussfassung ist die Anwesenheit der Mehrheit der gesetzlichen Anzahl der Mitglieder erforderlich.'

In the new Constitution the following restriction has to be added :—

'Bei der Beschlussfassung über eine Angelegenheit welche nach den Bestimmungen dieser Verfassung nicht dem ganzen Bunde gemeinschaftlich ist, werden die Stimmen nur derjenigen Mitglieder gezählt, die in Bundesstaaten gewählt sind, welchen die Angelegenheit gemeinschaftlich ist.

The constitution of the *Reichstag*—a body answering to the *Nationalrath* in Switzerland and to the House of Representatives in America—is in no way remarkable, though its mode of election for three years by secret and universal suffrage ('der Reichstag geht aus allgemeinen und direkten Wahlen mit geheimer Abstimmung hervor') certainly is remarkable when we think of its author. It is in the *Bundesrath* that the monarchic nature of the Confederation comes out. This body does not answer to the Swiss *Bundesrath*, which is the Executive of the League, but to the Swiss *Ständerath* or the American Senate. All these bodies represent the States as States, while the other House of the Legislature in each case represents the Confederate nation as a nation. But the constitution of the German *Bundesrath* differs in two important points from the constitution

of the *Ständerath* and the Senate. In both the Swiss and the American systems each State, great and small, has the same number of votes in the Upper House of the Federal Assembly. This is, of course, the true federal idea. The American States and the Swiss Cantons differ widely among themselves in extent and population. Therefore in one House of the Legislature each has a number of representatives in proportion to its population. But, as independent and sovereign States, united by a voluntary tie, the rights, powers, and dignity, of all the States are equal. Therefore in the other House of the Legislature the smallest State has an equal number of representatives with the greatest. But the Swiss and American Confederations were in their origin really voluntary unions of independent States which have since admitted other States to the same rights as themselves. In Switzerland indeed the original Cantons which formed the kernel of the League are now among the smallest of them all. The political equality of Bern and Uri, of New York and Rhode Island, is therefore among the first principles of the two Confederations. It would be childish to expect that the same sort of equality could be established between Prussia and the conquered enemies or dependent allies out of which she made a nominal Confederation after her victories in 1866. The Confederate nation, as a nation, might have, just as much as Switzerland and America, equality of representation throughout its extent; but it could not be expected that the States, as States, should have the same equality of representation. It could not be that Prussia should have no greater voice in the Federal body than Schaumburg-Lippe and Schwarzburg-Sondershausen. And in truth there was the precedent of the old League which the new one supplanted to go upon. Each State therefore of the North-German League kept in the new *Bundesrath* the number of votes which it had held in the *Plenum* of the old German League, Prussia adding to its own number of votes those of Hanover and the other States which it absolutely incorporated. As this

gave Prussia not more than seventeen votes out of forty-three, the proportion can hardly be called unfair. Since the accession of the Southern States, Prussia has seventeen votes out of fifty-eight. Here then is one obvious and unavoidable difference between the Senate of the new Confederation and those of the two older ones. Another, equally unavoidable, is a still more direct consequence of the monarchic character of the German League. The Swiss Constitution simply provides that the members of the *Ständerath* shall be chosen by the Cantons; the American Constitution prescribes that the Senators shall be chosen by the Legislatures of the several States. It would not have come into any man's head to make the *Ständerath* consist of the chief magistrates of the several Cantons or their representatives. But in a Confederation whose States are monarchies, it would be hardly possible wholly to shut out the Executive Governments of the several kingdoms or duchies from some direct place in the federal body. The German Constitution therefore makes the *Bundesrath* consist of representatives of the several States ('Vertretern der Mitglieder des Bundes'), who may seemingly be either the princes themselves or their ambassadors. Each State may send as many representatives as it has votes, but the votes of each State must be given as a whole ('Jedes Mitglied des Bundes kann so viele Bevollmächtige zum Bundesrathe ernennen, wie es Stimmen hat; doch kann die Gesammtheit der zuständigen Stimmen nur einheitlich abgegeben werden'). Bavaria may send six representatives; it has in any case six votes, but the six votes must all be given in the same way. This is going back to the arrangements of the ancient league of Lykia, and is unlike those of America and Switzerland, where each member of the Senate or the *Ständerath* has an independent vote.

One most important provision appears in the Constitution of the Empire which did not appear in that of the North-German League. In the latter the President—that is, the King of Prussia—had the absolute power of making

war and peace. He had to obtain the consent of the Legislature only when the articles of a treaty concerned matters which came within the competence of the Legislative body to deal with. ('Insoweit die Verträge mit fremden Staaten sich auf solche Gegenstände beziehen, welche nach Artikel 4 in den Bereich der Bundesgesetzgebung gehören, ist zu ihrem Abschluss die Zustimmung des Bundesrathes und zu ihrer Gültigkeit die Genehmigung des Reichstages erforderlich'). By the new Constitution the Empêror can declare war only with the consent of the *Bundesrath*, except in cases of sudden invasion ('Zur Erklärung des Krieges im Namen des Reichs ist die Zustimmung des Bundesrathes erforderlich, es sei denn dass ein Angriff auf das Bundesgebiet oder dessen Küsten erfolgt'). The power of the Emperor, thus limited with regard to war, is much the same as that of the President of the United States with regard to peace; but the powers of the Executive with regard to war and peace are quite different in the three confederations. Switzerland vests the power of making war and peace wholly in the Federal Assembly. In America the Congress declares war, but the President makes peace with the assent of the Senate. In Germany the Emperor makes peace with the limitations above mentioned, but he can make war only with the consent of the *Bundesrath*.

We have by no means gone through all the articles of the Constitution; we have only picked out those which seemed most important in themselves and best suited for a comparison with the other two chief federal states, and especially for marking those points in which a confederation of principalities necessarily differs from a confederation of commonwealths.

XXI.

NOBILITY.*

THE word 'nobility' is one of those words which are constantly misapplied. It is misapplied by way of confusion with things with which 'nobility' may have something in common, but which are essentially distinct from it. In England nobility is apt to be confounded with the peculiar institution of the British peerage. Yet nobility, in some shape or another, has existed in most places and times of the world's history, while the British peerage is an institution purely local, and one which has actually hindered the existence of a nobility in the sense which the word bears in most other countries. Nor is nobility the same thing as aristocracy. This last is a word which is often greatly abused; but, whenever it is used with any regard to its true meaning, it is a word strictly political, implying a particular form of government.† But nobility is not necessarily a

* [This essay, the more part of which is reprinted with little change from the Encyclopædia Britannica, is brought in at this stage mainly with reference to the more substantial essay which follows it. Before dealing with the subject of *peerage*, as part of the subject of the House of Lords, it was well to have a definition of *nobility* to refer to. I need hardly say that an article in the Encyclopædia was necessarily somewhat different in point of style from most of the pieces collected in these volumes.]

† [The use of the word 'aristocracy' to express, not a form of government, but a social class, is essentially a vulgarism; but there is something instructive in the way in which the use came about. The word 'aristocracy' was used in order that it might take it something wider than 'nobility,' as nobility is commonly understood in England. And that peculiar use of 'nobility' is itself a fruit of our special institution of the peerage, to which we shall come presently. But if

political term; the distinction which it implies may be accompanied by political privileges or it may not. Again, it is sometimes thought that both nobility and aristocracy are in some special way connected with kingly government. To not a few it would seem a contradiction to speak of nobility or aristocracy in a republic. Yet, though many republics have eschewed nobility, there is nothing in a republican, or even in a democratic, form of government inconsistent with the existence of nobility; and it is only in a republic that aristocracy, in the strict sense of the word, can exist. Aristocracy implies the existence of nobility; but nobility does not imply aristocracy; it may exist under any form of government. The peerage, as it exists in the three British kingdoms, is something which is altogether peculiar to three British kingdoms, and which has nothing in the least degree like it elsewhere.

Nobility then, in the strict sense of the word, is the hereditary handing on from generation to generation of some acknowledged pre-eminence, a pre-eminence founded on hereditary succession, and on nothing else. Such nobility may be immemorial or it may not. There may or there may not be a power vested somewhere of conferring nobility; but it is essential to the true idea of nobility that, when once acquired, it shall go on for ever to all the descendants—or, more commonly, only to all the descendants in the male line—of the person first ennobled or first recorded as noble. The pre-eminence, so handed

this misuse of the word 'aristocracy' has in this way some kind of faint excuse, there is no kind of excuse for the abuse of the word 'democracy,' which has come more lately into vogue, and which has evidently been suggested by the misuse of 'aristocracy.' Both 'aristocracy' and 'democracy' are, in any correctness of speech, names of forms of government, not of social classes. But aristocracy is the rule of a class; democracy is the wiping out (for political purposes) of all distinctions of class. It is the rule of the whole people, not of any class among them. To use the name 'democracy' as the name of a class is therefore yet more foolish than the like abuse of the word 'aristocracy.']

on, may be of any kind, from substantial political power to mere social respect and precedence. It does not seem necessary that it should be formally enacted by law, if it is universally acknowledged by usage. It may be marked by titles or it may not. It is hardly needful to prove that nobility does not imply wealth, though nobility without wealth runs some risk of being forgotten. This definition seems to take in all the kinds of nobility which have existed in different times and places. They have differed widely in the origin of the noble class and in the amount of privilege implied in membership of it; but they all agree in the transmission of some privilege or other to all the descendants, or to all the male descendants, of the first noble.

In strictness nobility and gentry are the same thing. This fact is overshadowed in England, partly by the habitual use of the word 'gentleman' in various secondary uses, partly by the prevalent confusion between nobility and peerage. But that they are the same is proved by the use of the French word *gentilhomme*, a word which has pretty well passed out of modern use, but which, as long as it remained in use, never lost its true meaning. There were very wide distinctions within the French *noblesse*, but they all formed one privileged class as distinguished from the *roturier*. Here then is a nobility in the strictest sense. If there is no such class in England, it is simply because the class which answers to it has never been able to keep any universally acknowledged privileges. The word 'gentleman' has lost its original meaning in a variety of other uses, while the word 'nobleman' has come to be confined to members of the peerage and a few of their immediate descendants.

That the English peerage does not answer to the true idea of a nobility will be seen with a very little thought. There is no handing on of privilege or pre-eminence to perpetual generations. The peer holds a great position, endowed with substantial powers and privileges, and those

powers and privileges are handed on by hereditary succession. But they are handed on to one member of the family only at a time. The peer's children, in some cases his grandchildren, have precedence accompanied by titles or honorary epithets, but they have no substantial privileges. His remoter descendants have no advantage of any kind over other people, except their chance of succeeding to the peerage. The remote descendant of a duke, even though he may chance to be heir presumptive to the dukedom, is in no way distinguished from any other gentleman; it is even possible that he may not hold the social rank of gentleman. This is not nobility in the true sense; it is not nobility as nobility was understood either in the French kingdom or in the Venetian commonwealth.

Nobility thus implies the vesting of some hereditary privilege or advantage in certain families, without deciding in what such privilege or advantage consists. Its nature may differ widely according to the causes which have led to the establishment of the distinction between family and family in each particular case. The way in which nobility has arisen in different times and places is very various, and there are several nations whose history will supply us with examples of a nobility of one kind giving way to a nobility of another kind. The history of the Roman commonwealth illustrates this perhaps better than any other. What we may call the nobility of elder settlement makes way for the nobility of office.* Our first glimpses of authentic Roman history set before us two orders in the same state, one of which is distinguished from the other by many exclusive privileges. The privileged order—the *populus*, *patres*, patricians—has all the characteristics which we commonly expect to find in a privileged order. It is a minority, a minority strictly marked out by birth from other members of the commonwealth, a minority which seems further, though this point

* [I have said something on this head in the History of Sicily, vol. ii. p. 11.]

is less clearly marked, to have had on the whole the advantage in point of wealth. When we are first entitled to speak with any kind of certainty, the non-privileged class possess a certain share in the election of magistrates and the making of laws. But the privileged class alone are eligible to the greatest offices of the state; they have in their hands the exclusive control of the national religion; they have the exclusive enjoyment of the common land of the state. A little research shows that the origin of these privileges was a very simple one. Those who appear in later times as a privileged order among the people had once been the whole people. The patricians, *patres*, housefathers, *goodmen*—so lowly is the origin of that proud name—were once the whole Roman people, the original inhabitants of the Roman hills. They were the true *populus Romanus*, alongside of whom grew up a secondary Roman people, the *plebs* or commons. As new settlers came, as the people of conquered towns were moved to Rome, as the character of Romans was granted to some allies and forced on some enemies, this *plebs*, sharing some but not all of the rights of citizens, became a non-privileged order alongside of a privileged order. As the non-privileged order grew larger, while the privileged order, as every exclusive hereditary body must do, grew smaller, the larger body gradually put on the character of the nation at large, while the smaller body put on the character of a nobility. But their position as a nobility or privileged class arose solely because a class with inferior rights to their own grew up around them. They were not a nobility or a privileged class as long as there was no less privileged class to distinguish them from. Their exclusive possession of power made the commonwealth in which they bore rule an aristocracy; but they were a democracy among themselves. We see indeed faint traces of distinctions among the patrician houses, which may lead us to guess that the equality of all patricians may have been won by struggles of unrecorded

days, not unlike those which in recorded days brought about the equality of patrician and plebeian. But at this we can only guess. The Roman patricians, the true Roman *populus*, appear at our first sight of them as a body democratic in its own constitution, but standing out as an order marked by very substantial privileges indeed from the other body, the *plebs*, also democratic in its own constitution, but in every point of honour and power the marked inferior of the *populus*.

The old people of Rome thus grew, or rather shrank up, into a nobility by the growth of a new people by their side, a people which they declined to admit to a share in their rights, powers, and possessions. A series of struggles raised this new people, the *plebs*, to a level with the old people, the *populus*. The gradual character of the process is not the least instructive part of it. There are two marked stages in the struggle. In the first the plebeians strive to obtain relief from laws and customs which were actually oppressive to them, while they were profitable to the patricians. When this relief has been gained by a series of enactments, a second struggle follows, in which the plebeians win political equality with the patricians. In this second struggle too the ground is won bit by bit. No general law was ever passed to abolish the privileges of the patricians; still less was any law ever passed to abolish the distinction between patrician and plebeian. All that was done was done step by step. First, marriage between the two orders was made lawful. Then one law admitted plebeians to one office, another law to another. Admission to military command was won first, then admission to civil jurisdiction; a share in religious functions was won last of all. And some offices, chiefly those religious offices which carried no political power with them, always remained the exclusive property of the patricians, because no special law was ever passed to throw them open to plebeians. In this gradual way every practical advantage on the part of the patricians was taken away. But the result did not lead to the abolition

of all distinctions between the orders. Patricians and plebeians went on as orders defined by law, till the distinction died out in the confusion of things under the empire, till at last the word 'patrician' took quite a new meaning. The distinction in truth went on till the advantage turned to the side of the plebeians. Both consuls might be plebeians; both could not be patricians. Nor could a patrician wield the great powers vested in the tribunes of the commons. These were greater advantages than the exclusive patrician possession of the offices of the *interrex*. the *rex sacrorum*, and the higher flamens. And, as the old distinction survived in law and religion after all substantial privileges were abolished, so presently a new distinction arose of which law and religion knew nothing, but which became in practice nearly as marked and quite as important as the older one.

This was the growth of the new *nobility* of Rome, that body, partly patrician, partly plebeian, to which the name *nobilitas* strictly belongs in Roman history. This new nobility gradually became as well marked and as exclusive as the old patriciate. But it differed from the old patriciate in this, that, while the privileges of the old patriciate rested on law or immemorial custom, the privileges of the new nobility rested wholly on a sentiment of which men could remember the beginning. Or it would be more accurate to say that the new nobility had really no privileges at all. Its members had no legal advantages over other citizens. They were a social caste, which strove to keep, and which largely succeeded in keeping, all high office and political power in its own hands. Such privileges, even of an honorary kind, as the nobles did enjoy by law belonged to them, not as nobles, but as senators and senators' sons. Yet practically the new nobility was a privileged class; it felt itself to be so, and it was felt to be so by others. This nobility consisted of all those who, as descendants of curule magistrates, had the *jus imaginum*,— that is, who could point to forefathers ennobled by office.

That is to say, it consisted of the remains of the old patriciate, together with those plebeian families any members of which had been chosen to curule offices. These were naturally those families which had been patrician in some other Italian city, but which were plebeian at Rome. Many of them equalled the Roman patricians in wealth and in antiquity of descent, and, as soon as intermarriage was allowed, they became in all things their social equals. The practical result of the Licinian reform was that the great plebeian families became, for all practical purposes, patrician. They separated themselves from the mass of the plebeians to form a single body with the surviving patricians. Just as the old patricians had striven to keep plebeians out of high offices, so now the new nobles, patrician and plebeian alike, strove to keep 'new men,' men who had not the *jus imaginum*, out of high office. But there was still the difference that in the old state of things the plebeian was shut out by law,* while in the new state of things no law shut out the new man. It needed a change in the constitution to give the consulship to Lucius Sextius; it needed only union and energy in the electors to give it to Gaius Marius.

The Roman case is often misunderstood, because the later Roman writers did not fully understand the case themselves. Livy could never get rid of the idea that the old struggle between patrician and plebeian was something like the struggle between the nobility and the people at large in the later days of the commonwealth. In a certain sense he knew better; at any rate, he often repeats the words of men who knew better; but the general impression given by his story is that the plebeians were a low mob and their leaders factious and interested ringleaders of a mob. The case is again often misunderstood because the words 'patrician' and 'plebeian,' like so many other technical Roman and Greek words, have come in modern

* [Most likely not by any enactment, but by immemorial practice and sentiment which needed an enactment to set it aside.]

language to be used in a way quite unlike their original sense. The word *plebeian*, in its strictest sense, is no more contemptuous than the word *commoner* in England. The *plebs*, like the English commons, contained families differing widely in rank and social position, among them those families which, as soon as an artificial barrier broke down, joined with the patricians to form the new nobility. The whole lesson is lost if the words 'patrician' and 'plebeian' are used in any but their strict sense. The Catuli and Metelli, among the proudest nobles of Rome, were plebeians, and as such could not have been chosen to the purely patrician office of *interrex* and *flamen* of Jupiter. Yet even in good writers on Roman history the words 'patrician' and 'plebeian' are often misapplied by being transferred to the later disputes at Rome, in which they are quite out of place.

We may now compare the history of nobility at Rome with its history in some other of the most famous city-commonwealths. Thus at Athens its history is in its main outlines very much the same as its history at Rome up to a certain point, while there is nothing at Athens which at all answers to the later course of things at Rome. At Athens, as at Rome, an old patriciate, a nobility of elder settlement, a nobility which had once been the whole people, was gradually shorn of all exclusive privilege, and driven to share equal rights with a new people which had grown up around it. The reform of Kleisthenês answers in a general way to the reform of Licinius, though the different circumstances of the two cities hinder us from carrying out the parallel into detail. But both at Rome and at Athens we see, at a stage earlier than the final reform, an attempt to set up a standard of wealth, either instead of or alongside of the older standard of birth. This same general idea comes out both in the constitution of Servius and in the constitution of Solôn, though the application of the principle is different in the two cases. Servius

made voting power depend on income; by Solon the same rule was applied to qualification for office. By this change power is not granted to every citizen, but it is put within the reach of every citizen. No man can change his forefathers; but the poor man may haply become richer. The Athenian εὐπατρίδαι, who were thus gradually brought down from their privileged position, seem to have been quite as proud and exclusive as the Roman patricians; but, when they lost their privileges, they lost them far more thoroughly, and they did not, as at Rome, practically hand on many of them to a new nobility, of which they formed part, though not the whole. While at Rome the distinction of patrician and plebeian was never wiped out, while it remained to the last a legal distinction even when practical privilege had turned the other way, at Athens, after the democracy had reached its full growth, the distinction seems to have had no legal existence whatever. At Rome down to the last it made a difference whether the candidate for office was patrician or plebeian, though the difference was in later times commonly to the advantage of the plebeian. At Athens, at any rate after Aristeidês, the eupatrid was neither better nor worse off than another man.

But, what is of far greater importance, there never arose at Athens any body of men which at all answered to the *nobilitas* of Rome. We see at Athens strong signs of social distinctions, even at a late period of the democracy; we see that, though the people might be led by the low-born demagogue—using that word in its strict and not necessarily dishonourable meaning—their votes most commonly fell on men of ancient descent. We see that men of birth and wealth often allowed themselves a strange licence in dealing with their low-born fellow-citizens. But we see no sign of the growth of a body made up of patricians and leading plebeians who contrived to keep office to themselves by a social tradition only less strong than positive law. We have at Athens the exact parallel to the state of things

when Appius Claudius shrank from the thought of the consulship of Gaius Licinius; we have no exact parallel to the state of things when Quintus Metellus shrank from the thought of the consulship of Gaius Marius. The cause of the difference seems to be that, while the origin of the patriciate was exactly the same at Rome and at Athens, the origin of the commons was different. The four Ionic tribes at Athens seem to have answered very closely to the three patrician tribes at Rome; but the Athenian *dêmos* grew up in a different way from the Roman *plebs*. If we could believe that the Athenian *dêmos* arose out of the union of the other Attic towns with Athens, this would be an exact analogy to the origin of the Roman *plebs*; the εὐπατρίδαι would be the Athenians and the *dêmos* the Atticans (Ἀττικοί). But, from such glimpses of early Attic history as we can get, the union of the Attic towns would seem to have been completed before the constitutional struggle began. That union would answer rather to the union of the three patrician tribes of Rome. Such hints as we have, while they set before us, just as at Rome, a state of things in which small landed proprietors are burthened with debt, also set before us the Attic *dêmos* as, largely at least, a body of various origins which had grown up in the city. Kleisthenês for instance enfranchised many slaves and strangers, a course which certainly formed no part of the platform of Licinius, and which reminds us rather of Gnæus Flavius somewhat later. On the whole it seems most likely that, while the kernel of the Roman *plebs* was rural or belonged to the small towns admitted to the Roman franchise, the Attic *dêmos*, largely at least, though doubtless not wholly, arose out of the mixed settlers who had come together in the city, answering to the μέτοικοι of later times. If so, there would be no place in Athens for those great plebeian houses, once patrician in some other commonwealth, out of which the later Roman *nobilitas* was so largely formed.

Thus the history of nobility at Athens supplies a close

analogy to the earlier stages of its history at Rome, but it has nothing answering to its later stages. At Sparta we have a third instance of a people shrinking up into a nobility, but it is a people whose position differs altogether from anything either at Rome or at Athens. Sparta is the best case of a nobility of conquest. This is true, whether we look on the περίοικοι as Achaians or as Dorians, or as belonging some to one race and some to the other. In any case the Spartans form a ruling body, and a body whose privileged position in the land is owing to conquest. The Spartans answer to the patricians; the περίοικοι answer in some sort to the *plebs*; the helots are below the position of *plebs* or *dêmos*. The only difference is that, probably owing to the fact that the distinction was due to conquest, the local character of the distinction lived on much longer than it did at Rome. We hardly look on the Spartans as a nobility among the other Lacedæmonians; Sparta rather is a ruling city bearing sway over the other Lacedæmonian towns. But this is exactly what the original Roman patricians, the settlers on the three oldest hills, were in the beginning. The so-called cities (πόλεις) of the περίοικοι answered pretty well to the local plebeian tribes; the difference is that the περίοικοι never became an united corporate body like the Roman *plebs*. Sparta, as a city, remained to the last what Rome was at the beginning, a city with a *populus* (δῆμος) but no *plebs*. And, as at Rome in early times, there were at Sparta distinctions within the *populus*; there were ὅμοιοι and ὑπομείονες, like the *majores* and *minores gentes* at Rome. Only at Rome, where there was a *plebs* to be striven against, these distinctions seem to have had a tendency to die out, while at Sparta they seem to have had a tendency to widen. The Spartan patriciate could afford to disfranchise some of its own members.

The other old Greek cities, as well as those of mediæval Italy and Germany, would supply us with endless examples of the various ways in which privileged orders arose. Venice, a city not exactly belonging to any of these classes,

essentially a city of the Eastern Empire and not of the Western, gives us an example than which none is more instructive. The renowned patriciate of Venice was as far removed as might be from the character either of a nobility of conquest or of a nobility of elder settlement. Nor was it strictly a nobility of office, though it had more in common with that than with either of the other two. As Athens supplies us with a parallel to the older nobility of Rome without any parallel to the later, so Venice supplies us with a parallel to the later nobility of Rome without any parallel to the earlier. Athens has Fabii and Claudii, but no Catuli or Metelli; Venice has Catuli and Metelli, but no Fabii or Claudii.

In one point however the Venetian nobility differed from either the older or the newer nobility of Rome, and also from the older nobilities of the mediæval Italian cities. Nowhere else did nobility so distinctly rise out of wealth, and that wealth gained by commerce. In the original island territory of Venice there could be no such thing as landed property. Neither the agricultural plebeian of old Rome nor the feudal noble of contemporary Europe could have any place at Venice. The Venetian nobility is an example of a nobility which gradually arose out of the mass of the people as certain families step by step drew all political power into their own hands. The *plebs* did not gather round the *patres*, neither were they conquered by the *patres*; the *patres* were developed by natural selection out of the *plebs*, or, more strictly, out of the ancient *populus*. The *commune* of Venice, the ancient style of the commonwealth, changed into the *seigniory* of Venice. Political power was gradually confined to those whose forefathers had held political power. This was what the later nobility of Rome was always striving at, and what they did to a great extent practically establish. But, as the exclusive privileges of the nobility were never recognized by any legal or formal act, men like Gaius Marius would ever and anon thrust themselves in. The privileges which the

Venetian nobility took to themselves were established by acts which, if not legal, were at least formal. The Roman nobility, resting wholly on sufferance, was overthrown by the ambition of one of its own members. The Venetian nobility, resting also in its beginnings on sufferance, but on sufferance which silently obtained the force of law, lasted as long as Venice remained a separate state.

The hereditary oligarchy of Venice was established by a series of changes which took place between the years 1297 and 1319. All of them together really go to make up the 'Shutting of the Great Council,' a name which is formally given to the act of the first of those years. In 1172 the Great Council began as an elective body; it gradually ousted the popular assembly from all practical power. It was, as might be looked for, commonly filled by members of distinguished families, descendants of ancient magistrates, who were already beginning to be looked on as noble. The series of revolutions already spoken of first made descent from former councillors a necessary qualification for election to the council; then election was abolished, and the council consisted of all descendants of its existing members who had reached the age of twenty-five. Thus the *optimates* of Venice did what the *optimates* of Rome strove to do: they established a nobility whose one qualification was descent from those who had held office in past times. This is what the nobility of office, if left unchecked, naturally grows into. But the particular way in which oligarchy was finally established at Venice had some singular results. Some of the great families which were already looked on as noble were not represented in the council at the time of the shutting; of others some branches were represented and others not. These families and branches of families, however noble they might be by descent, were thus shut out from all the political privileges of nobility. When one branch of a family was admitted and one shut out, we have an analogy to the patrician and plebeian Claudii, though the distinction had come about in quite another way. And

in the Great Council itself we have the lively image of the aristocratic popular assembly of Rome, the assembly of the *populus*, the assembly of the *curiæ*, where every man of patrician birth had his place. The two institutions are the same, only the way in which they came about is exactly opposite. The assembly of the *curiæ* at Rome, originally the democratic assembly of the original people, first grew into an aristocratic assembly, and then died out altogether as a new Roman people, with its own assembly, grew up by its side. It was a primitive institution which gradually changed its character by force of circumstances. When it became altogether unsuited to the times, it died out, supplanted by other and newer powers. The Great Council of Venice was anything but a primitive institution; it was the artificial institution of a late age, which grew at the expense of earlier elements in the state, of the prince on the one side and of the people on the other. But the two different roads led to the same end. The Great Council of Venice, the *curiæ* of Rome, were each of them the assembly of a privileged class, an assembly in which every member of that class had a right to a place, an assembly which might be called popular as far as the privileged class was concerned, though rigidly oligarchic as regarded the excluded classes. But, close as the likeness is, it is merely a superficial likeness, because it is the result of opposite causes working in opposite directions. It is like two men who are both for a moment in the same place, though their faces are turned in opposite ways. If the later *nobilitas* of Rome had established an assembly in which every one who had the *jus imaginum* had a vote and none other, that would have been a real parallel to the shutting of the Venetian Great Council; for it would have come about through the working of causes which are essentially the same.

The nobility which was thus formed at Venice is the very model of a civic nobility, a nobility which is also an aristocracy. In a monarchy, despotic or constitutional, there cannot in strictness be an aristocracy, because the

whole political power cannot be vested in the noble class. But in the Venetian commonwealth the nobility was a real aristocracy. All political power was vested in the noble class; the prince sank to be a magistrate, keeping only some of the outward forms of sovereignty; the mass of the people were shut out altogether. And, if no government on earth ever fully carried out the literal meaning of aristocracy as the rule of the best, this kind of civic nobility comes nearer to it than any other form of government. A nobility of this kind really seems to engender a kind of hereditary capacity in its members. Less favourable than either monarchy or democracy to the growth of occasional great men, it is more favourable than either to the constant supply of a succession of able men, qualified to carry on the work of government. Its weak point lies in the necessary conservatism of such a body; it cannot advance and adapt itself to changed circumstances, as either monarchy or democracy can. When therefore the goodness is gone, the corruption becomes worse than the corruption of either of the other forms of government.

All this is signally shown in the history both of Venice and of other aristocratic cities. But we are concerned with them now only as instances of one form of nobility. The civic aristocracies did not all arise in the same way. Venice is the best type of one way in which they rose; but it is by no means the only way. In not a few of the Italian cities nobility had an origin and ran a course quite unlike the origin and the course which were its lot at Venice. The nobles of many cities were simply the nobles of the surrounding country changed, sometimes greatly against their will, into citizens. Such a nobility differed far more widely from either the Roman or the Venetian patriciate than they differed from one another. It wanted the element of legality, or at least of formality, which distinguished both these bodies. The privileges of the Roman patriciate, whatever we may call them, were not usurpations; and, if we call the privileges of the Venetian nobility usurpations,

they were stealthy and peaceful usurpations, founded on something else than mere violence. But in many Italian cities the position of the nobles, if it did not begin in violence, was maintained by violence, and was often overthrown by violence. They remained, in short, as isolated and unruly within the walls of the cities as they had ever been without. A nobility of this kind often gave way to a democracy which either proved as turbulent as itself, or else it grew into an oligarchy ruling under democratic forms. Thus at Florence the old nobles became the opposite to a privileged class. The process which at Rome gradually gave the plebeian a political advantage over the patrician was carried at Florence to a far greater length at a single blow. The whole noble order was disfranchised; to be noble was equivalent to being shut out from public office. But something like a new nobility presently grew up among the commons; there were *popolani grossi* at Florence just as there were noble plebeians at Rome. Only the Roman commons, great and small, never shut out the patricians from office; they were satisfied to share office with them. In short, the shutting out of the old nobility was, if not the formation of a new nobility, at least the formation of a new privileged class. For a certain class of citizens to be condemned, by virtue of their birth, to political disfranchisement is as flatly against every principle of democracy as for a certain class of citizens to enjoy exclusive rights by reason of birth. The Florentine democracy was, in truth, rather to be called an oligarchy; that is, if we accept the best definition of democracy, that given by Athênagoras in the Syracusan assembly,* namely, that it is the rule of the whole, while oligarchy is the rule of a part only.

It is in these aristocratic cities, of which Venice was the most fully developed model, that we can best see what nobility really is. It is in these states only that we can see nobility in its purest form, nobility to which no man can rise and from which no man can come down, except by the

* Thucydides, vi. 39.

will of the noble class itself. In a monarchy, where the king can ennoble, this ideal cannot be kept. Nor could it be kept in the later nobility of Rome. The new man had much to strive against, but he could sometimes thrust himself through, and when he did so, his descendants had their *jus imaginum*. But at Venice neither prince nor people could open the door of the Great Council; only the Great Council itself could do that. That in the better times of the aristocracy nobility was not uncommonly granted to worthy persons, that in its worse times it was more commonly sold to unworthy persons, was the affair of the aristocratic body itself. That body, at all events, could not be degraded save by its own act. But these grants and sales led to distinctions within the ranks of the noble order, like those of which we get faint glimpses among the Roman patricians. The ducal dignity rarely passed beyond a circle of specially old and distinguished families. But this has often been the case with the high magistracies of commonwealths whose constitutions were purely democratic.

From this purest type of nobility, as seen in the aristocratic commonwealths, we may pass to nobility as seen in states of greater extent, that is, for the most part in monarchies. There are two marked differences between the two. They are differences which seem to be inherent in the difference between a republic and a monarchy, but which it would be truer to say are inherent in the difference between a body of men packed close together within the walls of a city and a body of men—if we can call them a body—scattered over a wide territory. The member of a civic nobility is more than a member of an order; he is a member of a corporation; he has no powers, he has hardly any being, apart from the body of which he is a member. He has a vote in making the laws or in choosing those who make them; but when they are made, he is, if anything, more strictly bound by them than the citizen of the

non-privileged order. To be a fraction of the corporate sovereign, if it had its gains, had also its disadvantages; the Venetian noble was fettered by burthens, restrictions, and suspicions from which the Venetian citizen was free. The noble of the large country, on the other hand, the rural noble, as he commonly will be, is a member of an order, but he is hardly a member of a corporation; he is isolated; he acts apart from the rest of the body and wins powers for himself apart from the rest of the body. He shows a tendency—a tendency whose growth will be more or less checked according to the strength of the central power—to grow into something of a lord or even a prince on his own account, a growth which may advance to the scale of a German elector or stop at that of an English lord of a manor. Now many of these tendencies were carried into those Italian cities where the civic nobility was a half-tamed country nobility; but they have no place in the true civic aristocracies. Let us take one typical example. In many parts of western Europe the practice of private war long remained the privilege of every noble, as it had once been the right of every freeman. And in some Italian cities, the right, or at least the privilege, of private war was continued within the city walls. But no power of imagination can conceive an acknowledged right of private war in Rome, Venice, or Bern.

The other point of difference is that, whatever we take for the origin and the definition of nobility, in most countries it became something that could be given from outside, without the need of any consent on the part of the noble class itself. In other words, the king or other prince can ennoble. We have seen how much this takes away from the true notion of nobility as understood in the aristocratic commonwealths. The nobility is no longer all-powerful; it may be constrained to admit within its own body members for whose presence it has no wish. Where this power exists, the nobility is no longer in any strictness an aristocracy; it may have great privileges, great influence,

even great legal powers, but it is not the real ruling body, like the true aristocracy of Venice.

In the modern states of Western Europe the existing nobility seems commonly to have had its origin in personal service to the prince. And this nobility by personal service seems often to have supplanted an older nobility, the origin of which was, in some cases at least, strictly immemorial. We had an example of this process in England in the substitution of the later nobility of the *þegnas* for the older nobility of the *eorlas*. The analogy between this change and the change from the Roman patriciate to the later Roman *nobilitas* is obvious. In both cases the older nobility gives way to a newer; and in both cases the newer nobility is a nobility of office. Under a kingly government, office bestowed by the sovereign holds the same place which office bestowed by the people holds in a popular government. This new nobility of office supplanted, or perhaps rather absorbed, the older nobility, just as the later *nobilitas* of Rome supplanted or absorbed the old patriciate. In our first glimpse of Teutonic institutions, as given us by Tacitus, this older nobility appears as strictly immemorial,* and its immemorial character appears also in the well-known legend in the *Rigsmal-saga* of the separate creation of Jarl, Karl, and Thrall. These represent the three classes of mankind according to old Teutonic ideas, the noble, the simple freeman, and the bondman. The kingly house, where there is one, is not a distinct class; it is simply the noblest of the noble. For, as almost everywhere else, this Teutonic nobility admits of degrees, though it is yet harder to say in what the degrees of nobility consisted than to say in what nobility itself consisted. This older nobility is independent of the possession of land; it is independent of office about the sovereign; it is hard to say what were the powers and privileges attached to it; but of its existence there is no doubt. But in no part of Europe can the existing nobility

* See Waitz, *Deutsche Verfassungsgeschichte*, i. 185 sq.

trace itself up to this immemorial nobility of primitive days; the nobility of mediæval and modern days springs from the later nobility of office. The nobles of modern Europe are *þegnas* and not *eorlas*. The eorl of the old system would doubtless commonly become a thegn under the new, as the Roman patrician took his place in the new *nobilitas*; but others could take their place there also. The Old-English laws point out ways by which the churl might rise to thegn's rank, and, in the centuries during which the change went on, we find mention, complaining mention, both in England and elsewhere, at the court of Charles the Simple and at the court of Æthelred, of the rise of new men to posts of authority. The story that Earl Godwine himself was of churlish birth, whether true or false, marks the possibility of such a rise. A still wilder tale, preserved by Dante, spoke of Hugh Capet as the son of a butcher of Paris. Stories like these prove even more than the real rise of Hagano and Eadric.

The older Teutonic nobility then is immemorial; the later is official. But both arose, or might arise, within the bounds of the same nation. The question further arises how far either was modified, in its decay or in its growth, by the circumstances of Teutonic conquest in the Roman lands. In other words, Is the nobility of any part of Europe, specially of Western Europe, a nobility of conquest? We have seen that the elder nobility of most Italian cities consisted of the nobility of the surrounding districts who often became citizens against their will. This is quite enough as regards the mere history of the cities, but we have still to find out the origin of the nobility which they possessed before they entered the cities. It is likely enough that the nobles of Lombardy were mainly the men of Lombard descent as distinguished from the Roman inhabitants; but it would be too much to affirm, without more proof than we have, either that every Lombard was necessarily noble, or that no Roman was ever admitted to equal rights with the conquerors. So it has been a favourite political theory that

the French *noblesse* were the descendants of the Franks, and the *Tiers État* the descendants of the Gauls and Romans. Here again there is doubtless a large element of truth, if the thing is not pressed too far, and if people remember that in a large part of modern France they have to do, not with Franks and Gauls but with Goths and Basques. So, in a large part of Germany, it is open to any one to maintain that the nobles were conquering Germans and the subject classes conquered Wends. But in another large part of Germany the utmost that could be thought of would be the conquest of one Teutonic tribe by another. In the Slavonic countries, in Poland and Russia, the theory of conquest breaks down more completely still. Nowhere has nobility been more definitely marked; nowhere has the mass of the people been more thoroughly enslaved. The nobles, in Poland above all, were almost like a conquering army encamped in the country; they seem to have more in common with a horde of invading Turks than with an orderly aristocracy like that of Venice. Yet both in proper Poland and in proper Russia there is no sign of conquest; there is no trace of any difference in blood between noble and peasant. It will hardly be argued that the Russian nobility are the descendants of the Scandinavian followers of Ruric. Though we do not know the origin of the Russian or Polish nobility, we do know something of the steps by which they contrived to bring the mass of the people into utter bondage at a time when the condition of the serf and the villain in Western Europe was gradually improving. Things really look as if an aristocracy arising gradually among a people of the same blood was more permanent and more oppressive than one which began in conquest. Yet it would be very dangerous to make any such inference without collecting and weighing a great many instances from different times and countries.

To turn to our own land, however our *þegnas* arose, they were a class among Englishmen; they were not Englishmen as distinguished from Britons. If any one chooses to argue

that Hagano was a Roman unduly lifted up at the court of a Frankish king, no one will argue that Eadric was a Welshman in the like case. If we had anything like a nobility of conquest, it came later, and it was not very like it when it did come. The English nobility of the thegns was to a great extent personally displaced, so to speak, by the results of the Norman Conquest. But the idea of nobility did not greatly change. The English thegn sometimes yielded to, sometimes changed into, the Norman baron, using that word in its widest sense, without any violent alteration in his position. The notion of holding land of the king became more prominent than the notion of personal service done to the king; but, as the land was held by the tenure of personal service, the actual relation hardly changed. But the connexion between nobility and the holding of land comes out in the practice by which the lord so constantly took the name of his lordship. It is in this way that the prefixes *de* and *von*, descriptions in themselves essentially local, have become in other lands badges of nobility. This notion has died out in England by the dropping of the preposition; but it long lived on whenever Latin or French was used. And before long nobility won for itself a distinguishing outward badge. The device of hereditary coat-armour, a growth of the twelfth century, did much to define and mark out the noble class throughout Europe. As it could be acquired by grant of the sovereign, and as, when once acquired, it went on from generation to generation, it answers exactly to the *jus imaginum* at Rome, the hereditary badge of nobility conferred by the election of the people. Those who possessed the right of coat-armour by immemorial use, or by grant in regular form, formed the class of nobility or gentry,—words which, it must again be remembered, are strictly of the same meaning. They held whatever privileges or advantages have in different times and places attached to the rank of nobility or gentry. In England indeed a variety of causes hindered nobility or gentry from ever obtaining the importance which it obtained,

for instance, in France. But no cause was more important than the growth of the peerage. That institution at once set up a new standard of nobility, a new form of the nobility of office. The peer—in strictness, the peer in his own person only, not even his children—became the only noble; the ideas of nobility and gentry thus became divorced in a way in which they are not in any other country. Those who would elsewhere have been counted as the nobility, the bearers of coat-armour by good right, were hindered from forming a class holding any substantial privilege. In a word, the growth of the peerage hindered the existence in England of any nobility in the continental sense of the word. As the peerage is not a nobility, so neither is any other class in England. We have nothing, we have for ages had nothing answering to the *noblesse*, the *Edel*, the *Ritterschaft*, of other countries. We have had no hereditary order, possessing defined privileges, out of which no member can fall and to which no new man can rise, except by certain defined processes.

Herein comes the origin of the class of *gentlemen* in England, a name which has come to have a meaning, so different from that of the French *gentilhomme*. The esquires, knights, lesser barons, even the remote descendants of peers, that is, the *noblesse* of other countries, in England remained *gentlemen*, but not *noblemen*. That is, they were simple commoners, without legal advantage over their fellow-commoners who had no *jus imaginum* to boast of. There can be no doubt that the class in England which should naturally answer to the *noblesse* of other lands is the class that bears coat-armour, the gentry strictly so called. Had they been able to establish and to maintain any kind of privilege, even that of mere honorary precedence, they would exactly answer to continental nobility. That coat-armour has been lavishly granted and often assumed without right, that the word 'gentleman' has acquired various secondary senses, proves nothing. That is the natural result of a state of things in which the *status* of gentry carries

with it no legal advantage, and yet is eagerly sought after on social grounds. If coat-armour, and thereby the rank of gentry, has been lavishly granted, some may think that the rank of peerage has often been lavishly granted also. In short, there is no real nobility in England. The smaller, untitled, nobility of foreign countries answer in many respects to our country gentlemen, but they differ in the fact of the one forming, and the other not forming, an hereditary order. The descendants of an English squire may fall from their rank without being formally degraded, and the descendants of a merchant or an attorney may step into their place without being formally ennobled. But, where there is a real nobility, its rights are in no way lost by poverty, and they cannot be gained except by formal grant from whatever is the proper authority. That is to say, the position of the English country gentleman is one purely conventional, while the position of his nearest foreign equivalent is a legal one. The English gentleman inherits that natural influence of descent and property which laws do not give and which laws cannot take away; he inherits a kind of traditional claim to be appointed to local offices of authority; but he has in himself no legal *status* different from that of a day-labourer. In short, with us the class which should answer to foreign nobility has so long ceased to have any practical privileges that it has long ceased to be looked on as a nobility. Meanwhile the word *nobility* has been transferred to another class which has nothing answering to it out of the three British kingdoms. This last class in strictness takes in only the peers personally; at the outside it cannot be stretched beyond those of their children and grandchildren who bear the courtesy titles of *Lord* and *Lady*.

Once more, it must be borne in mind that, while it is essential to the idea of nobility that it should carry with it some hereditary privilege, the nature and extent of that privilege may vary endlessly. In the last century the nobility of France and the nobility of Poland alike answered

to the strictest definition of nobility; but the two were as broadly contrasted in their political position as any two classes of men could be. The nobility of France, keeping the most oppressive social and personal privileges, had been shorn of all political and even administrative power; the tyrants of the people were the slaves of the king. In Poland sixty thousand gentlemen, rich and poor, famous and obscure, but all alike gentlemen, rode out to choose a king by an unanimous vote, and to bind him when chosen by such conditions as they thought good. Those sixty thousand, like the *populus* of Rome, formed a narrow oligarchy as regarded the rest of the nation, but a wild democracy among themselves. Poland, in short, came nearer than any kingdom or country of large extent to the nature of an aristocracy, as we have seen aristocracy in the aristocratic cities. The chief power of the state was placed neither in the prince nor in the nation at large; it was held by a noble class. The kingly power in Poland, like the ducal power at Venice, had been so narrowed that Poland, though she still kept a king, called herself a republic no less than Venice. And whatever was taken from the king went to the gain of the noble order. But the nobility of a large country, even though used to act politically as an order, could never put on that orderly and legal character which distinguishes the true civic patriciates. It never could come so nearly as a civic patriciate could to being something like the rule of the best in any sense of those words.

The tendency of modern times has been towards the breaking down of formal hereditary privileges. In modern commonwealths, above all, they have been thought to be essentially inconsistent with republican institutions. The truth of the matter is rather that the circumstances of most modern commonwealths have been unfavourable to the preservation, and still more to the growth, of privileged bodies. Where they existed, as in Switzerland, they have been overthrown. Where they did not exist, as in America,

everything has made it more and more impossible that they should arise. And, as modern changes have commonly attacked the power both of kings and of nobles, the common notion has come that kingship and nobility have some necessary connexion. It has seemed as if any form of nobility was inconsistent with a republican form of government, while nobility, in some shape or other, has come to be looked on as a natural, if not a necessary, appendage to a monarchy. And as far as regards the social side of kingship, this is true. A court seems more natural where a chain of degrees leads gradually up from the lowest subject to the throne than when all beneath the throne are nearly on a level. And from one point of view, that from which the kingly house is but the noblest of the noble, kingship and nobility are closely allied. But in the more strictly political view monarchy and nobility are strongly opposed. Even the modified form of absolute monarchy which has existed in some Western countries, while it preserves, perhaps even strengthens, the social position of a nobility, destroys its political power. Under the fully-developed despotisms of the East a real nobility is impossible; the prince raises and thrusts down as he pleases. It is only in a commonwealth that a nobility can really rule; that is, it is only in a commonwealth that the nobility can really be an aristocracy. And even in a democratic commonwealth the sentiment of nobility may exist, though all legal privilege has been abolished or has never existed. That is to say, traditional feeling may give the members of certain families a strong preference, to say the least, in election to office. We have seen that this was the case at Athens; it was largely the case in the democratic cantons of Switzerland; indeed the nobility of Rome itself, after the privileges of the patricians were abolished, rested on no other foundation. It is important to bring these historical facts into notice, as they are likely to be confused or forgotten among modern practical tendencies the other way.

XXII.

THE HOUSE OF LORDS.*

THE House of Lords may be looked at from several points of view; or more strictly there are two points of view which contain all the others, and which, in any rational argument, ought to imply one another. One of these is the historical origin of the House; the other is its practical aspect in our own times. The present state, the present practical working, of the House of Lords, has given rise to much controversy. The House has been warmly attacked and warmly defended. But it cannot be either reasonably attacked or reasonably defended without knowing what it is. And this is specially a case in which no one can really know what it is without knowing how it came to be. Indeed some of the popular talk on both sides would

* [This paper has been put together from a number of writings, put forth at various times, and ranging in character from a grave historical and *quasi*-legal treatise in the Encyclopædia Britannica to articles so temporary as one on the relations of the House of Lords to the new County Councils. Most of them were written for some momentary occasion; something had happened or something had been said which called for notice at the moment. Not one therefore, save the article in the Encyclopædia, a little too didactic perhaps, as it stands, for the present collection, could have been reprinted as it stood. The same things were necessarily said over and over again in each. At the same time, each contained something, some particular argument or way of putting things, which was peculiar to itself, and which seemed worth keeping. I have therefore done as I have done with some of the pieces in the Third Series. I have worked them together as well as I could, taking the solid stuff of the Encyclopædia article as a centre round which the often lighter matter of the other articles might gather.]

seem to imply that the disputants do not know—at least they speak as if they did not know—what the actual constitution of the House is at this moment. The House of Lords is one of the endless cases in which an institution comes into being in the way in which institutions do come into being, and then ages after, is attacked and defended on grounds which in its earlier days were never thought of. Now in such a case both the attack and the defence may be perfectly fair. An institution may have been founded with a certain object, or it may have grown up by force of circumstances without any formal object at all. In the course of ages it comes to work in some particular way, a way which most likely one party thinks a good way and another a bad one. It is then attacked and defended on the ground that it does work in that particular way. And this may be done with perfect fairness on both sides, as regards the immediate practical argument. An institution must be kept on or got rid of or modified, according to its practical working at the present time, not according to what may have been its practical working in some long-past time. Yet the origin and the first objects of an institution cannot be left out in dealing with its present state. And in point of fact they never are left out, either by its friends or its enemies. Only they are commonly used by both friends and enemies in such a way as to confuse the argument. Both sides unconsciously assume that the institution was designed from the beginning to work as they see it working. Those who hold its working to be good think that they strengthen their argument by appealing to the wisdom of our forefathers who founded it in order that it might so work. Those who hold its working to be bad are tempted to answer that the wisdom of our forefathers must have been great folly if they sought any such object as that which they see at work before them. Both arguments are out of place; for it will almost always be found that the institution anciently worked, perhaps was meant to work, in some quite different way from that in

which it works now. Any ancient institution is sure to have gone through great changes. The question is, Have those changes been for the better or for the worse? have they been wholesome developements, or have they been corruptions? In other words, Does it work well or ill now? That is the immediate practical question, and it is according to the answer to that question that our practical course must be shaped. Now if the answer is that the institution is so perfect that it needs no change at all, then there is nothing more to be said or done. If the answer is that it is so hopelessly bad as to be past all reform, then there is nothing more to be said, but there is something to be done. But if it is held that the institution is neither perfect nor hopeless, if it need not be ended but may be mended, then the beginnings and history of the institution are sure to throw great light on the kind of way in which the mending ought to be done. We may say roughly that most institutions need some change, but that most institutions have something in them which it is better not to change. It will commonly be found that the details and the actual working of an ancient institution are in many ways unsuited to modern purposes; but it will also be found that there is something at the bottom which is worth keeping. We shall commonly do most honour to the wisdom of our forefathers by keeping to their main principles and reforming their details. No one does less honour to that wisdom than he who refuses to change at all; for that is what our forefathers never did.

Now, to make the case clearer as to this particular subject of the House of Lords, I will draw out a few propositions, which most likely nobody will allow that he holds when put forth in so many words, but which are none the less practically held by a great many. That is, many people speak and argue and act exactly as if they did hold them.

First, At some unknown time it seemed to the wisdom of

our forefathers that the affairs of the nation would be better managed by an assembly consisting of two houses than by an assembly of one only.

Secondly, It seemed to the same wisdom that it would be well that, of these two houses, one should be elective and the other hereditary, and that the chief function of the hereditary house should be to act as a check on the elective house, to revise and modify its measures.

To these propositions must be added another which does not come so often into sight; namely,

Thirdly, It seemed to the same wisdom that it would be well, for the advancement of religion and morality—some would add, for the defence of the interests of the Established Church—that the hereditary house should, besides its hereditary members, contain a few of the chief ministers of the Established Church.

One is tempted to add yet two propositions more.

Fourthly, That though the hereditary house received the duty of checking the action and modifying the measures of the elective house, yet it was meant that it should use great caution in so doing, and should always be ready to yield whenever the will of the elective house is often and clearly expressed.

Fifthly, That those non-hereditary members of the hereditary house who received seats there as representatives of religion and morality were meant to confine themselves to questions touching religion and morality and not to meddle with the general business of the house.

Now in drawing up these propositions, I cannot believe that there are many people—very likely there are none at all—who, if they were actually examined on the subject, would deliberately give in all five as their serious views on constitutional history. I can hardly believe that anybody would give in the last two. People who might perhaps go astray about the first three could hardly help seeing that the last two can have nothing to do with the wisdom of our forefathers. Everybody must see that the present rela-

tions between the two houses, and the present position of the bishops in the House of Lords, were never formally designed by anybody, but have come about by force of circumstances in quite modern times. But I am sure that a vast number of people who, if pressed, would disown all five as setting forth their historic belief, do still practically believe, many of them all five, most of them the first three. That is, as I put it just now, they speak, argue, and act exactly as if they did believe them. People unconsciously think that, because the House of Lords now acts as what is called a 'second chamber,' it must have come into being in order to act as a second chamber. They unconsciously think that, because the House of Lords is now mainly an hereditary body, therefore to be hereditary is part of its original nature, and that the presence of a few members who are not hereditary is a kind of anomaly which has to be explained by some special cause. Indeed the subject is very often discussed as if the House of Lords contained none but hereditary members. It is constantly spoken of as 'the hereditary house,' 'the hereditary branch of the legislature.' The use of such phrases clearly implies a certain notion that 'the hereditary principle' is the essential foundation of the House. It implies forgetfulness of the facts that the House of Lords even now is not wholly hereditary, that it is only in comparatively modern times that it has become chiefly hereditary. It perhaps implies actual ignorance of the fact that the presence of any hereditary element at all is as truly the mere result of circumstances as the special position which the House of Lords has held towards the House of Commons in later times.

In speaking of the origin and former state of the House of Lords, I do not forget the universal law which affects all discussions. I have had to notice in other essays on other subjects, how any reference to past history, however little to the purpose, is always welcomed with delight by those on whose side it seems to tell, while, however much it may be to the purpose, it is always sneered at

by those against whose side it seems to tell. I believe this is impartially true of all parties as such and of most disputants of any party. But in this case above all, to trace out how a certain state of things came about is no 'antiquarian rubbish,' but a practical contribution to a practical question. If we once take in that the House of Lords was not designed to be a 'second chamber,' but that its position as a 'second chamber' came upon it gradually by force of circumstances, we shall none the less be able to discuss the question of a 'second chamber' as a question of practical usefulness. So if we accept the 'second chamber,' but take in that it was only gradually, by force of circumstances, that it became a mainly hereditary body, we shall none the less be able to discuss the question of a hereditary second chamber as a practical question of our own time. Only we shall be set free from any superstition which mistakes accidental features for the essence of the institution. We can discuss the practical merits and demerits of an hereditary or partly hereditary second chamber all the more fully and fairly if we never forget that it is only by accident, by force of circumstances, that the institution which we are discussing gradually became hereditary or mainly so in its constitution, and gradually drifted into the position which modern political language describes as a 'second chamber.'

The House of Lords in truth is an institution which has come into being by the same force of circumstances as other institutions. And the features in it which are most warmly attacked and most warmly defended are really incidental features which have grown up incidentally. I just now put into the mouth of a supposed adversary, a series of plain propositions. I will now take another such series into my own mouth, and I will then examine the evidence for those propositions more at length.

First then, Whatever may be the merits or demerits of the system of two Houses of Parliament, as opposed to one

House or to more Houses than two, that system was not established in England with a view to any of those merits or demerits. It came about wholly by force of circumstances, through the different ways in which the kings summoned different classes of people to the national assembly. Elements which might easily have joined to form one House, elements which were very near parting into three, which might easily have parted into four or five, did, as a matter of fact, after a good many shiftings, settle down into two. The system of two Houses may have worked well or ill; it never was deliberately called into being in order to work in any particular way.

Secondly (which in fact follows from the first proposition), Of the two Houses thus formed the Upper House or House of Lords was not designed as a 'Second Chamber,' as a body standing in a special relation to another body, and specially designed to revise the acts of that body. So far as the House of Lords discharges any such functions, those functions have come upon it by gradual force of circumstances, without any deliberate purpose at any time.

Thirdly, The House of Lords was never deliberately intended to be contrasted with the House of Commons as a hereditary body, or indeed to be a hereditary body at all. For

1. To this day it is not a wholly hereditary body.

2. It has never been wholly hereditary except for two short times in the seventeenth century.

3. For some centuries the non-hereditary element in it was the more numerous.

4. That element in it which is hereditary was not purposely designed to be hereditary, but has become so gradually and by force of circumstances.

Fourthly, The steps by which the purely hereditary character of any part of the House has been gradually established, have been made, not by enactments regularly passed by Parliament, but mainly by resolutions voted by the House of Lords itself.

In going more at length into the historical evidence for these propositions, it will be well to see, first of all, what is the present constitution of the House of Lords, and what are its present legal—as distinguished from conventional—functions. Then we may see how the House came to have that constitution and to discharge those functions. When we have fixed these points, we shall be better able to judge what changes may be needed in its constitution and functions. And it will be easier, by way of clearing the ground, to see first what the actual constitution and powers of the House of Lords are.

The House of Lords is, as every one knows, one of two Houses which, when summoned by the King to meet him in Parliament make up, together with the King, the Legislature and the supreme authority of the kingdom. Of those two Houses, Lords and Commons, the House of Lords is higher in rank and dignity. In their powers, the two Houses are for the most part exactly on a level. Bills may be brought in alike in either House. Each House is bound to take into consideration the bills which are sent to it by the other. Each may accept, reject, or amend those bills. No bill can go to the Crown for its assent till it has passed both Houses in its final shape. But each House has some special powers of its own. A money bill, a bill making a grant to the Crown, must be brought into the Commons. The Lords cannot originate such a bill, neither can they amend such a bill when it comes from the Commons; they must accept or reject it as it stands. On the other hand, in the judicial powers which belong to the British Parliament, as to most other ancient assemblies, the Commons have no share. Besides the hearing of appeals from inferior courts by the House of Lords, there is the Court of our Lord the King in Parliament, in which the Lords are judges, while the Commons can only impeach. Both these differences are of importance to our argument. That the Commons have no share in the judicial power means that, while the

Commons have in other points won for themselves equality with the Lords, in this case they have not done so. And that they have won the control of the national purse almost to the exclusion of the Lords shows that this power was thought an object worth striving after, while the judicial power was not. And it need not be said that the unwritten system of constitutional understandings which rules everything has made the practical relations between the two Houses very different from what they are in legal form. We should further remember that, when we speak of legal form, we mainly mean law as ruled by precedent, not law resting on formal enactments. Almost always in earlier times, not uncommonly in later, the relations between the various powers of the State have formed themselves in the course of things without any formal enactments at all. From the functions of the House, which have fixed themselves in this gradual way, we may now turn to its constitution, which has fixed itself as gradually.

What then is the House of Lords? It consists of the Lords Spiritual and Temporal; that is its formal description. But who are the 'Lords' of either class? Except when we speak of the 'lord' of a manor, or when we go back to the ancient relation between a man and his 'lord,' the word 'lord' has become a mere title, a title constantly given by usage to others besides members of the House of Lords. It would save trouble if for *Lords* we could substitute *Peers*, and there was a time when we could have done so. But the House itself has ruled that some of its members are not peers, and it has also ruled that there may be peers who are not its members. Still we shall hardly understand the constitution of the House unless we make some attempt to define *peerage* both in its older and its later English meanings. In the historic use of the word it takes in all the members or possible members of the House of Lords, and no other persons. But modern usage and modern decisions limit it on one side, and extend it on another. There is no kind of doubt that, according to the earliest precedents—precedents reaching

up to the earliest official use of the word *peer*—the Spiritual Lords are equally peers with the Temporal. But it has been held, at least from the seventeenth century, that the Spiritual Lords, though Lords of Parliament equally with the Temporal Lords, are not, like them, *peers*. Again, in earlier times no peers were heard of except members of the House of Lords, but membership of that House, even as a Temporal Lord, was not necessarily hereditary. But a decision of the House in the present reign has ruled that a life-peerage is possible, but that the holder of such a peerage has no right to a seat as a Lord of Parliament. And an Act of Parliament of the present reign of later date has actually called into being a class of Lords who, it would seem, may possibly be either Lords of Parliament without being peers, or peers without being Lords of Parliament. These doctrines, which must be supposed to declare the modern law, establish the possibility of peers who are not Lords of Parliament, as well as of Lords of Parliament who are not peers. The question whether all Lords of Parliament were peers has been debated for several centuries; that all peers were *in esse* or *in posse* Lords of Parliament, that the right to a seat in Parliament was the essence of peerage round which all other rights have grown, was surely never doubted till the year 1856.

Still these later doctrines, though founded on altogether wrong historical grounds, give us a definition of peerage which is intelligible and convenient. Setting aside the possible peers who are not Lords of Parliament, the two decisions between them rule that the parliamentary peerage is confined to the Temporal Lords, and that, unless perhaps in the case of the very modern official lords, their peerage is necessarily hereditary. This definition is convenient in practice, because it is the hereditary temporal peerage whose growth and constitution is of that unique kind which distinguishes it from all other bodies which bear the same name or which present any likeness to it in other ways. It will save trouble in this inquiry if we use the word

peerage in what—with the possible exception of the last-created official lords—seems now to be its legal sense, as meaning the hereditary temporal peerage only.

In this sense then the peerage of England—continued after the union between England and Scotland in the peerage of Great Britain, and after the union between Great Britain and Ireland in the peerage of the United Kingdom—is a body of men possessing privileges which are not merely personal but hereditary, privileges which descend in all cases according to some rule of hereditary succession, but which pass only to one member of a family at a time. In this the peerage differs from nobility strictly so called, in which the hereditary privileges, whatever they may consist in, pass on to all the descendants of the person first created or otherwise acknowledged as noble. The essential and distinguishing privilege of the peer, as defined above, is that he is an hereditary Lord of Parliament, that he has, by virtue of his birth, a right to a summons from the Crown to attend personally in every Parliament and to take his seat in the House of Lords. He is thus, by right of birth, a member of the Great Council of the Nation, an hereditary legislator and an hereditary judge. The peer of Parliament thus holds a different position from the Lords Spiritual, equally Lords of Parliament with himself, but holding their seats by a different tenure from that of an hereditary peerage. He holds a different position from the possible non-parliamentary peers implied in the decision of 1856. He holds a different position from the official Lords of Parliament created by the last Act. The number of the peerage is unlimited; the Crown may raise whom it will to any of its ranks; but it is now understood that, in order to make the persons so raised peers in the full sense, to make them Lords of Parliament, the creation must extend to their heirs of some kind as well as to themselves.

The special character of the British peerage, as distinguished from privileged orders in any other time or place,

springs directly from the fact that the essence of the peerage is the hereditary right to a personal summons to Parliament.* To determine the origin of the peerage—that is, to determine how the House of Lords came by its most characteristic element—we must find out how a certain body of men came to possess this hereditary right of summons. But, before we enter on this inquiry, one or two remarks will be needful which are naturally suggested by the definition of peerage which has just been given.

It has been said above that the holder of a peerage as defined is a Lord of Parliament *in esse* or *in posse*. It has become necessary during the present and last centuries to add these last words to the definition. For it is plain that, since the successive unions of England and Scotland and of Great Britain and Ireland, an hereditary peerage has not always in practice carried with it a seat in the House of Lords.† For since those unions certain persons, namely those peers of Scotland and Ireland who are not representative peers and who do not hold peerages of England, of Great Britain, or of the United Kingdom, have been undoubted peers, they have enjoyed some or all of the personal privileges of peerage, but they have had no seats in the House of Lords. But this is a modern accident and anomaly. The persons spoken of hold peerages which entitled their holders to seats in the Parliaments of Scotland and Ireland as long as those Parliaments were distinct bodies. And their present holders, if not members of the House of Lords *in esse*, are such *in posse*. They have a capacity for seats in that House which is not shared by other persons. Their membership of the House is rather suspended than altogether taken away. Their anomalous case hardly affects the general principle that, as far as

* In the former Swedish, and still abiding Finnish, system of Four Estates, each noble family is represented in the House of Nobles by its head. In his absence the family may be represented by another member. This is quite different from our peerage.

† See the Lords' Report on the Dignity of a Peer, ii. 16.

the hereditary peerage is concerned, peerage and membership of the House of Lords are the same thing.

A few words are also needed as to the effect of the earlier doctrine which rules that peerage is an attribute of the Lords Temporal only and not of the Lords Spiritual.* This is doubtless meant to imply a certain inferiority on the part of the Spiritual Lords, as not sharing in that nobility of blood which is looked on as the special attribute of the hereditary peerage. But the inferiority thus implied, as it has nothing to do with parliamentary powers, has also nothing to do with precedence. The Lords Spiritual as a body are always mentioned first; one class of them, namely the archbishops, take precedence of all temporal peers who are not of the royal family, as the other bishops take precedence of the temporal barons. What the distinction is concerned with is simply certain personal privileges, such as the right of being tried by the Court of our Lord the King in Parliament, instead of in the ordinary way by a jury. The doctrine which denies 'peerage' to the Spiritual Lords is against all earlier precedents; but it was the natural result of the ideas under whose influence the temporal peerage grew up and put on its distinguishing character.

And now as to the use of the word peers (*pares*) to denote the members of the House of Lords. It first appears in the fourteenth century, and it was fully established before the end of that century. The name seems to be rather a direct importation from France than anything of natural English or even Norman growth. In the twelfth and thirteenth centuries the great men of the realm appear under various names, English, Latin, and French, *witan*, *sapientes*, *magnates*, *proceres*, *grantz*, and the like; they are *pares* only incidentally, in their relations to one another, as other men might be. In the Great Charter the word *pares*, in the phrase *judicium parium*, has simply the general meaning which it still keeps in the rule that every man

* See Lords' Report, i. 323, 393; ii. 75.

shall be tried by his *peers*, the peer (in the later sense) by his peers and the commoner by his. In the thirteenth century this seems to have still been the only meaning of the word in England. This is illustrated by the story of Peter des Roches, Bishop of Winchester,* when in 1233 the right of being tried by their peers was asserted on behalf of Richard Earl Marshal and others. The Bishops and other Lords exhort the King to make peace with certain of his nobles and other subjects, 'quos *absque judicio parium* exsulaverat,' &c. The Poitevin bishop, either through ignorance or of set purpose, misunderstood the phrase, and answered that in England there were no peers (*pares*) as there were in France, and that therefore the King might deal with all his subjects as he chose by means of his own justices only.† The word *pares* is here clearly used in one sense and understood in another. The English Lords used the word in its older general sense; they meant that the accused persons ought to have been tried, each man by his *peers* or equals, whoever those peers might be. Peter des Roches used the word in the special sense which it bore in France, and therefore said there were no *peers* in England. Neither used it in the sense which it took in England in the next century. It was perfectly true that there was in England no body of men answering to the peers of France. But there is every likelihood that the name, as describing a particular body of men in England, was borrowed from the peers of France.‡ The earliest use of the word in any-

* See R. Wendover, iv. 277; M. Paris, ed. Luard, iii. 252; Stubbs, Const. Hist. ii. 48, 183.

† 'Quod non sunt pares in Anglia, sicut in regno Francorum, unde licet regi Anglorum per justitiarios quos constituerit quoslibet de regno suo exulare et mediante judicio condemnare.'

‡ It is not our business now to inquire minutely into the origin of the Twelve Peers of France, who were most likely devised, whether by Philip Augustus or not, out of the romances of Charlemagne. It is enough to say that they were the six bishops who held of the King of the French immediately as King and not as Duke, and the six great lay princes of the kingdom. The institution, so far as it ever existed,

thing like its present meaning, that is as describing the House of Lords, is found in the Act passed against the Despensers in 1322 * where, as Bishop Stubbs says, 'it is used so clumsily as to show that it was a novelty.'† It is used again in the act of deposition of Richard the Second,‡ in the form '*pares* et proceres regni Angliæ, spirituales et temporales.' Nothing therefore can be plainer than that the Spiritual Lords were looked on as *peers* no less than the Temporal. The point indeed was formally settled at an intermediate time, namely by the Act of 1341,§ when Archbishop Stratford secured the right of the 'piers de la terre' of both classes to be tried only by their peers in Parliament.‖

Such was the ancient law. At present we must look on 'peerage' as a special possession of the Lords Temporal. 'Peerage,' in this sense, means the hereditary right to a personal summons to Parliament. As thus hereditary legislators and hereditary judges, all peers are strictly *peers*, *pares*, equals, equals as a political class, sharers in something in which no other class has a right, equals in this sense, though they are divided by marked differences of precedence among themselves. This right to the hereditary summons is the kernel round which the personal privileges of the peers have grown. The definition just given applied to the peers of Scotland and Ireland, as long as there were separate parliaments of those kingdoms. The Scottish Representative Peers are not personally summoned,

died out through the annexation of the great lay fiefs to the Crown. The later French peerages, the rank of 'duke and peer' and, less commonly of 'count' or 'baron and peer,' throw no light on our subject. And the French Chamber of Peers in our own century, first as a hereditary, then as a nominated body, was a mere imitation of the English House of Lords, just like any other modern 'Second Chamber.'

* Lords' Report, i. 281. † Const. Hist. ii. 183.

‡ Lords' Report, i. 349.

§ Lords' Report, i. 313; Stubbs, Const. Hist. ii. 389.

‖ 'En pleyn parlement et devant les piers ou le roi se fait partie.' The King has deep speech (*parlement*) with his Witan (*piers*).

because they have no personal seats. The Scottish peerage, as a body, is summoned to appear by certain chosen members, just like a constituency which sends representatives to the House of Commons. But the Irish representative peer, chosen for life, has a personal seat.

We have now to trace the steps by which this body of hereditary peers came, together with the Spiritual Lords to whom they refuse the title of peerage, to form a separate house in the English Parliament. One thing at least may be safely said, that of all our institutions there is none which has so utterly drifted away from its original character as the House of Lords. We have said that there was no time in our recorded history when either the people of England or any particular English king or lawgiver came to the conclusion that it would be a good thing to have a House of Lords possessing its actual constitution, or answering any of the ends which either its champions or its accusers attribute to it. And it is no mere truism to say this. It is not quite true to say that institutions are not made, but grow. Institutions do grow; but some of them are made as well. It would be a very slight exaggeration to say of the House of Commons all that has just been denied of the House of Lords. The House of Commons has grown not a little; but it was made. We may fairly say that, at a particular time, namely in the thirteenth century, the people of England or its leaders did come to the conclusion that it would be a good thing to have a House which should possess many of the characters which the House of Commons still keeps, and which should answer many of the ends which the House of Commons still answers. They certainly did not put their wishes into so neat a formula, but they did something which practically came to the same thing. The House of Commons distinctly owed its being to the conviction that a political change in a particular direction was needed. The exact shape which it now takes, the exact powers which it now claims, have all grown; they

have come by the gradual working of causes; they have largely come by the results of a series of experiments. But the general notion out of which they all grew came into being and took a definite practical shape in the course of the thirteenth century. At the beginning of that century, if any prying eye can see the germs of a separate House of Commons, it can hardly distinguish them from the kindred germs of Trial by Jury and of other things which were also already in being but still undeveloped. At the end of the century any eye may see, no longer the germs of the House of Commons, but what we may fairly call the House of Commons itself. There the thing is, young and imperfect doubtless, and needing a good deal of licking into shape. But there it is, already clothed with the personal identity which it still keeps, needing, down to our own day, no reconstruction, but only improvement in detail. We shall be putting things into too finished and modern a dress, but we shall not be going far from the essential truth of the case, if we say that the House of Commons was set up in the thirteenth century in order to meet certain political needs of the thirteenth century.

Now in the case of the House of Lords nothing like this ever happened. Everything about that House, good or bad, has come of silent, unconscious, growth. The constitution of the House, its objects, its duties, its relations to the other House of Parliament, to the Crown, and to the nation, have all come about by accident, in the only sense in which we can allow accident to be an agent in history at all. They have come about by accident in a sense in which we could not with any fitness apply that word to the history of the House of Commons. The special position and character of the House as a 'Second Chamber'—in older English phrase, 'an Other House'—came in the nature of things of the fact that it was one of two Houses, in other words that the House of Commons arose alongside of it. A single political body is necessarily something widely different from a body that is one

of two. But the special position of the House of Lords as one House of two is above all things that which has most purely come about by accident. It might be straining a point, but it would not be substantially untrue, to say that the wisdom of our forefathers in the thirteenth century did determine to have more Houses than one. It certainly determined that new classes of people should have a place in Parliament, whether in the form of separate Houses or any other. But least of all was it part of the wisdom of our forefathers, at any rate of their wisdom acting of set purpose, to have the particular number of two Houses. That we happened to have two, that many other nations have imitated us in having two, simply came about, like other things, by the chapter of accidents. Things settled themselves as it was natural that they should settle themselves, most likely as it was at the time best that they should settle themselves. The wisdom of our forefathers commonly means the wisdom of King Edward the First, and things did not in the end settle themselves exactly as King Edward meant them to do. The House of Commons arose out of the calling of new classes of people to take a share in the affairs of the kingdom. The new members thus added to the old assembly might have sat in one House with the old, or the new might have been divided into more Houses than one. Each of these things happened in different countries. In Scotland the three estates sat together in one House; in Sweden there were till very lately four Houses; in Finland there are four Houses still. The commonest number was three, as in France, where the three estates were Clergy, Nobles, and Commons. And it is certain that King Edward designed something of the same kind in England. His three Estates differed widely in their constitution from those of France, but the general notion was doubtless suggested by them. All this early legislation—if we can call it legislation when everything went by precedent—was in the nature of a series of experiments. Sometimes King Edward seems to have

thought of a greater number of Houses than three. We see dim signs of a House of Merchants and a House of Lawyers, as things that might have been. But his final scheme clearly was that of a Parliament of three Houses—Lords, Clergy, and Commons. The great fact that we have two Houses and no more comes out of the accident that the clergy obstinately refused permanently to act as a House of Parliament. Of this accident it came that we have a House of Lords and a House of Commons, one representing the great body of the nation, the other formed of certain special classes. That is, of this accident came the system in which so many other nations have followed us, that 'Bicameral System,' on the merits and defects of which a great deal has been said and written, but which, it should always be remembered, was the child of an accident, and not the deliberate device of any man.

But the appearance of another body—or of other bodies—alongside of an elder body not only in the nature of things affected, or rather determined, the future position of the elder body; it had a most important effect on its constitution. As soon as that elder body had another body alongside of it, it became more necessary than before to determine minutely what persons had a right to a place in the elder body. This leads us to ask, What was the older body, the body which gradually came to be called the House of Lords, the body alongside of which the Commons came to sit as another House, and alongside of which the Clergy refused to sit as a third House? It consisted, 'we may safely say, of all those men whom the King summoned to come in their own persons, and of none other. So it does to this day.* The usage of ages has fixed that the King shall always summon certain persons; but it is not to be forgotten that he can still summon at pleasure any one else. Only, if he does summon any one else, certain consequences are now held to

* Of course with the exception of the Scottish Representative Peers mentioned above.

follow which King Edward hardly thought of. But what if those who came to Parliament because the King summoned them were simply a remnant of a much greater body who had once come together, assuredly by a general summons of the King to the whole body, most likely by special summons to some of its members, but in which the summons was certainly not a condition of membership? I am thus driven to put forth once more an old position of mine which I have often maintained in various shapes. I hold that the House of Lords is, by personal identity by unbroken succession, the ancient *Mycel Gemót*, and further that the ancient *Mycel Gemót* was a body in which every freeman in the realm had, in theory at least, the right to attend in person. No doubt there were two elements in the assembly, elements in which we may, if we choose, see the germ of Lords and Commons. We see those elements plainly enough when King William gathers at once his *Witan* and his *landsitting men*. As before Ilios, there were those who debated and those who simply shouted, and those who debated were most likely personally summoned. But the 'whole folk' was there in one shape or another. The unbroken continuity of our national assemblies before and after the Norman Conquest is manifest to every one who reads English history with common care. They gradually changed in character, in constitution, in range of functions; they lost powers and they won them back again; but there was no moment in England like those many moments in France when an assembly of one kind was abolished, and an assembly of another kind was set up in its stead. The real continuity of our assemblies is disguised by seeming changes of name which are often mere translations from one language to another. *Magnum concilium* is simply Latin for *mycel gemót*; when the English Chronicler says that King William held 'deep *speech* with his Witan,' he would, if he had been writing in French, have said that he held a *parlement*. Now the House of Lords is the body which

keeps on the unbroken continuity of the ancient assemblies. Such direct continuity cannot be looked for in the House of Commons which manifestly grew up by the side of the House of Lords. It is the elder assembly alone which can claim personal identity with the assemblies of earlier days. No line can be drawn between the existing House of Lords and those assemblies which of old times chose and deposed kings and confirmed the laws which the kings laid before them. In many things there is a wide difference between the two; but there is no change which implies any break in what we may call their corporate succession.

But I must go further. Allowing for the difference between those who debated and those who only shouted, between those who were personally summoned and those who were summoned only in the mass, I still cleave to my old belief that the *Mycel Gemót* of the kingdom was open to every freeman, and that the right of every freeman to appear in it simply died out in practice and was never formally taken away. That is to say, the existing House of Lords is, by strict corporate succession, identical with an assembly—it is at least the one surviving element of an assembly—in which every freeman in the land once had a place. Certainly, if I am right in this view, no greater change can be conceived as happening in any human institution. And yet, if we look at the course of events, there is nothing inconceivable in it. It is simply an instance of what Aristotle speaks of when he tells us that some institutions are democratic in appearance but oligarchic in practice.* A primary assembly of a district so large that its inhabitants cannot habitually come together in one place is pre-eminently an institution of this class. As long as the whole people can habitually come together, that is, as long as the state consists only of a single town or a small district, so long a primary assembly is the most democratic of all institutions. As soon as this limit is passed, it shrinks up into oligarchy

* Politics, iv. 5. 3. *τὴν μὲν κατὰ τοὺς νόμους εἶναι πολιτείαν δημοτικωτέραν, τῇ δ' ἀγωγῇ καὶ τοῖς ἔθεσιν ὀλιγαρχεῖσθαι μᾶλλον.*

by the working of natural causes, without any formal enactment. There is no need to limit the numbers of the assembly, to shut out the mass of its members, by any formal vote; the numbers of the assembly are limited, the mass of its members are shut out, by the simple fact that they cannot come. Of itself, without any formal change, the democratic assembly shrinks up into an assembly of such of its members as are rich enough and zealous enough to take long journeys on the public service. If the assembly is held in a great city, it may be swollen by an unusual number of the inhabitants of that city; at times of great general excitement many will come who in ordinary times stay away. But the tendency will be to shrink up into an assembly of the chief men and the chief men only. And if the state has a kingly head, this tendency will be yet further strengthened in another way. All experience shows that the working of the practice of summons gradually leads to the exclusion of all who are not summoned. As a rule, they will cease to attend. It will next be held that they have no right to attend. On the other hand, the summons, now become the badge of membership, will become a matter of right. The great men of the realm, bishops, earls, and the like, will establish their right to the summons; for others it will still for a while depend on the King's will. The King will still be able to summon personally to his counsels any men whose advice he may wish to have, without binding himself always to summon the same men, and certainly without binding himself to summon their sons after them. But gradually the favour will stiffen into a right. It will first be held that he who has been summoned once has a right to be summoned always; it will next be held that the son of him who has been summoned has a right to be summoned after him. By these successive and gradual changes, the assembly which was once so specially democratic will become very aristocratic indeed. From a popular assembly it becomes an official assembly; from an official assembly

it may become an assembly containing a large element which is strictly hereditary. The popular element is gone; the official element may abide; but the hereditary element may come to be so much greater that the official element comes to look like something exceptional. Men may begin to wonder how it came there. And meanwhile a new body may grow up by the side of the old, to win back for the mass of the nation its ancient rights in a more practical shape. Besides the older body which no longer represents the nation, there stands a younger body which does represent it. The truth of history does indeed demand that we should heap paradox upon paradox. We shall first find the House of Lords to be, by unbroken personal identity, identical with the primitive democratic assembly. We shall next find that the Lords Spiritual, or some of them, are the only men in the realm who still keep their places in the national assembly by the old democratic right of the simple freeman. What others have lost, they have kept; what others have got again in later fashions, they have kept in the older fashion.

Such is my theory of the origin of the House of Lords. It is an assembly once democratic, which the silent working of historical causes has changed into an assembly mainly hereditary, but still partly official. Parts of this theory are sure to awaken controversy; but I feel sure that scholars in general will accept quite as much of it as is needful for my immediate purpose. The many passages in our early writers in which very popular language is used, those in which the gathering of great crowds is spoken of, still seem to me to agree better with my view than with any other. There is nothing wonderful in supposing that the great mass of the qualified members of an assembly habitually stayed away; it is much harder to believe that ever and anon crowds of unqualified persons thrust themselves into an assembly in which they had no right to appear at all. But we need not argue this point. It is enough for our present purpose if the ancient national

assembly consisted formally—as in any case it very often did practically—only of those whom the King was likely to summon personally. Such an assembly would certainly not be a very popular assembly; but it would be almost as unlike the present House of Lords as the most popular assembly could be. The hereditary element, the supposed distinctive feature of the House of Lords, is utterly lacking. Every man would sit, not simply because his father had sat before him, but because of some position, personal or official, of his own, because, in virtue of that position, the King thought good personally to summon him. We have come to our position that the summons is the essence of the whole thing, that the hereditary summons is the essence of hereditary peerage.

The question now comes, Whom was it usual for the King to summon personally to Parliament in the days of King Edward the First, and long before? One must answer that it was usual for the King to summon the great men of the realm, without attempting any very careful definition who the great men of the realm were. But two classes of men were never left out, the Bishops and the Earls. That is to say, if my view of the history of our national assemblies is a true one, Bishops and Earls are simply those two classes of English freemen who have kept the ancient right of personal attendance which was once common to all English freemen. It was of course the importance of their official position which enabled them to keep the right while others lost it; but the right was not granted to them because of their official positions. That is to say, the Bishops do not sit to defend religion and morality, they do not even sit because they are the holders of certain baronies; they sit simply because—with some exceptions to be presently mentioned—they have never lost the right to sit. And, if the Bishops do not sit to represent religion and morality, the Earls sit still less to represent any hereditary principle. They sit, like the Bishops, because they have never lost the right to sit. We now look on an earldom as simply a hereditary

rank in the peerage, which puts its holder above barons and viscounts but below dukes and marquesses. But for our purpose, it is the Earl and the Bishop that go together; great officers both of them, but neither of them hereditary officers. The root of the matter is that in the beginning the Earl is as strictly an official person as the Bishop. He holds the highest temporal authority in the shire or shires within which he is earl, just as the bishop holds the highest spiritual authority in the diocese where he is bishop. He is appointed to a great office by the King and his Witan, and by the King and his Witan he may be removed from that office. That office is in itself in no way hereditary; but it has a strong tendency to become hereditary. In some ages all things, from the Crown downwards, have a tendency to become hereditary; and earldoms had a special tendency so to do. For the Earl often came of the old kingly line in an ancient kingdom which had sunk to become a division, a shire or more than one shire, of the greater kingdom of England. In such a case a strong feeling would plead for his earldom passing to his son. Thus the Earl's office gradually became hereditary; the Bishop's office could not. And more than this, while the Bishop's office always remained an office, the Earl's office gradually sank into a mere rank. The Earl ceased to have any practical duties or powers within the shire of which he was called earl. Next —rather early in its beginnings—came the innovation of giving the rank of earl without any official earldom, without even giving the name of any shire or its head town. The present Earl (better known as Marquess) of Salisbury has no official position in Wiltshire; Selborne and Lytton are not places which would in old times have been thought to need the care of an earl of their own; for the earldoms of Earl Spencer and Earl Russell we shall look in vain on the map.

Thus it was that the earldom, from a nominated office, sank to be a mere hereditary rank, while bishoprics always remained elective or nominated offices. In King Edward's

day earldoms had become fully hereditary; but they had not quite lost all local connexion with the shires whose names they bore. We have then bishops and earls, one class of Lords Spiritual and one class of Lords Temporal, as the kernel of the House, the two classes which have kept their place in the council of the nation by a right strictly immemorial. Their right has been handed down from days earlier than the exclusive practice of summons, and, after the practice of summons began, to them alone it could not be rightly refused. No doubt cases may be found of a King trying to shut out an earl or a bishop whose presence might be inconvenient; there is a memorable instance in the case of the well-known Earl of Bristol as late as the time of Charles the First. But such refusal was like any other irregular or illegal act, such as were common enough till the reign of law is fully established. But alongside of Earls and Bishops who cannot be shut out, there are others about whom the King has more freedom whether to summon them or not. There is another class of Lords Spiritual besides the Bishops, another class of Lords Temporal besides the Earls. The King always summons some abbots, but not always the same abbots; he always summons some barons, but not always the same barons. And this suggests another important question, Who are the Barons?

We have now reached a venerable name, a most important name in parliamentary history, and, like many other very important names, a name not very easy to define. Its parliamentary use, even as we see it in its first beginnings, is a late and incidental use of the name. In that use it comes to us in a French shape, but, like many other words that do so, it is good English to start with. The word, meaning in its first usage simply *man*, has in itself nothing to do with peerage or with seats in Parliament. Yet there is a kind of foreshadowing of its later use when Æthelstan appears in the Song of Brunanburh as

> Eorla drihten,
> Beorna beahgifa.

Survivals of its earlier and wider meaning may still be traced in the titles of the Barons of the Exchequer and the Barons of the Cinque Ports, and in other uses of the word, more common perhaps in Scotland and Ireland than in England. *Baro* often translates the older English *thegn*, itself perhaps not very easy to define. By the thirteenth century the name *baron* had come specially to mean the highest class among the King's lay tenants-in-chief under the rank of earl; the Baron was the holder of several knights' fees. In a wider and vaguer sense, the word often takes in both the Earls and the Spiritual Lords. In its narrower sense it means those who were barons and not more than barons. As the practice of personal summons to Parliament became fixed, the Barons formed a class of men who might reasonably hope or fear, as the case might be, that the personal summons might come to them; and to many of them it did come. And its coming or not coming established a distinction between two classes of barons. A distinction between greater and lesser barons is implied in the Great Charter,* which asserts the right of the 'majores barones' to a personal summons along with the archbishops, bishops, abbots, and earls, while the other tenants-in-chief—among them by implication such Barons as did not come under the head of *majores*—were to be summoned generally by the Sheriff. And this ordinance must be taken in connexion with the earlier writ of 1215 †—one of the first steps in the gradual growth of the Commons—the writ in which the Sheriff is bidden to summon the knights in arms, and the barons without arms, and also four discreet men from each shire, 'ad *loquendum nobiscum* de negotiis regni nostri,' that is, in other words, to a *parliament*. The Charter thus secures to the greater Barons, as a separate class, the right of being personally summoned by the King, and not by the Sheriff along with

* c. xiv.

† Selden, Titles of Honour, 587; Stubbs, Select Charters, 278, and Const. Hist. i. 568.

other men. It parts them off from other tenants-in-chief, and puts them alongside of the prelates and earls. These two documents between them may be taken as giving us at once the first distinct approach to the notion of peerage and the first distinct approach to the notion of representation. The *Witan* and the *Landsitting men* have taken a more definite shape. The 'majores barones' are not defined; but the summons supplied the means of defining them, or rather it became a means of making them the only barons. As the summons became hereditary, Barons came more and more to be looked on simply as a class of men who had seats in the House of Lords. The word came directly to mean a rank in the peerage, and it was gradually forgotten that there ever had been territorial barons who had no claim to seats in the House.

But it was only by slow degrees that the hereditary summons, or even the necessary summons of every man who had once been summoned, became the established rule. Throughout the thirteenth century the language in which the national assembly is spoken of is wonderfully shifting. Sometimes its constitution seems more popular, sometimes less so. Sometimes its more dignified members are spoken of vaguely under such names as *magnates*, without distinction into particular classes. But, when particular classes are reckoned up, the Barons always form one class among them; but the number of barons summoned varies greatly. The Charter gives the *majores barones* the right of personal summons; but the *majores barones* are not as yet a defined and undoubted class of men like the Bishops and Earls. None but the holder of a barony in the territorial sense was likely to be summoned; but the King still had a wide choice as to whom among the holders of such baronies he would acknowledge as *majores barones*; and we find that dissatisfaction was caused by the way in which the King exercised this power. In 1255 there is a remarkable notice in Matthew Paris * where the 'magnates' complain that

* v. 520, ed. Luard; cf. Hallam, Middle Ages, ii. 153.

all of their number had not been summoned according to the Charter, and they therefore decline to grant an aid in the absence of their peers.* It is possible that some bishops or earls may, for some personal reason, have been left unsummoned, but the complaint is far more likely to have come from the barons specially so called. We may note also that the word *pares* is still used in its more general sense, but it is used in a way that might easily lead to its special use. On the other hand, it has been alleged that, by a statute of the later years of Henry the Third, it was formally ordained that no barons, or even earls, should come to Parliament, except those whom the King should specially summons.† The existence of such a statute may be doubted; but, as far as the barons are concerned, the story fairly expresses the facts of the case. Under Edward the First an approach, to say the least, is made to the creation of a definite class of parliamentary barons. Bishop Stubbs marks the year 1295—the year from which so many things parliamentary date—as 'the point of time from which the regularity of the baronial summons is held to involve the creation of an hereditary dignity, and so to distinguish the ancient qualification of barony by tenure from that of barony by writ.'‡ In another passage§ he thus marks the general result of Edward's reign—

'The hereditary summoning of a large proportion of great vassals was a middle course between the very limited peerage which in France coexisted with an enormous mass of privileged nobility, and the unmanageable, ever-varying assembly of the whole mass of feudal tenants as prescribed in Magna Carta.'

It may be thought that the hereditary nature of the barony

* 'Responsum fuit, quod omnes tunc temporis non fuerunt juxta tenorem magnæ cartæ suæ, et ideo sine paribus suis tunc absentibus nullum responsum dare vocati auxilium concedere aut præstare.'

† See Selden, Titles of Honour, 589; Hallam, Middle Ages, ii. 142; Stubbs, Const. Hist. ii. 203.

‡ Const. Hist. iii. 437. § ii. 183.

is here put a little too strongly for the days of Edward the First. One may certainly doubt whether Edward, when he summoned a baron to Parliament, meant positively to pledge himself to summon that baron's heirs for ever and ever, or even necessarily to summon the baron himself to every future parliament. The facts are the other way; the summons still for a while remains irregular.* But the perpetual summons, the hereditary summons, gradually became the rule, and that rule may in a certain sense be said to date from 1295, the year from which so many things parliamentary date. That is, from that time the tendency is to the perpetual summons, to the hereditary summons; from that time anything else gradually becomes exceptional;† things had reached a point when the lawyers were sure before long to lay down the rule that a single summons implied a perpetual and an hereditary summons. It is not too much to fix the reign of Edward the First as the time when the hereditary parliamentary baronage began, without rigidly ruling that the King could not after 1295 lawfully refuse a summons to a man who had been summoned already.

From this time then we may look on the class of parliamentary Barons with succession as beginning and steadily growing. And the admission of the Barons had a great effect on the position of the older members of the House, the Spiritual Lords and the Earls. It was in fact their admission which gave the English peerage its distinctive character. A house of Earls, Bishops, and great Abbots would have remained an official house. The earldom might pass from father to son; but it would pass as an hereditary office, entitling its holder to a seat by virtue of his office, just like those lords who held their seats by virtue of offices which did not pass from father to son. Indeed we must not forget the meaning of the word *hereditary* in early times.

* See Nicolas, Historic Peerage, xxiv., xxv., ed. Courthope; Lords' Report, ii. 29, 290.

† Cf. Const. Hist. ii. 203 with iii. 439.

It is applied to whatever goes by succession, whether that succession is ruled by natural generation, by election or nomination, or by any other way. The office and estate of the bishop or abbot is hereditary in this sense; it must pass to some successor, and it is therefore often spoken of as hereditary. Indeed, as long as the earl was appointed, his office was hereditary only in the same sense as that of the bishop. The only difference was that the office of the bishop could not possibly become hereditary in the modern sense, while the office of the earl easily might, and therefore did. But, if the Earls had continued to have no fellows in the Upper House except the Lords Spiritual, the earldom could hardly have sunk into a mere rank. It was the addition of a class which had no official position—save that which their seats in Parliament conferred upon them—a class whose seats were first purely personal and then purely hereditary in the modern sense, which helped more than anything else to do away with the official character of the Earls. And in so doing it helped to widen the gap between the Spiritual and Temporal Lords. The Earl and the Baron alike came to be looked on as sitting by some hereditary virtue of descent; their blood was said to be ennobled, while the Bishop and the Abbot still sat only by what might seem to be in some sort the lower claim of holding an elective office.

It is then to the days of Edward the First that we are to look, not strictly for the creation of peerage in the modern sense, but for the beginning of a system out of which peerage in that sense very naturally grew. In the words of the great constitutional historian, Edward the First must,

'in the selection of a smaller number to be the constant recipients of a summons, having introduced a constitutional change scarcely inferior to that by which he incorporated the representatives of the commons in the national council; in other words, he created the House of Lords as much as he created the House of Commons.'

That is to say, he did not create the first elements of

either, which existed long before, nor did he give either its final shape, which neither took till afterwards; but he established both in such a shape that all later changes may be fairly looked on as merely changes in detail.

The succession of regular Parliaments in the established sense of the word thus begins in 1295, and from that time we have a House of Lords consisting of Lords Spiritual, Earls, and Barons, of whom the Barons are fast becoming hereditary as well as the Earls. The body so formed is still spoken of by various names; but we may say that gradually the name of *Lords* became the name of the body, while *Peers* became the personal description of its several members. It is worth noticing that it is at the decision of 1341 that the Lords' Report stops to comment at some length on the special position of the peerage as now established. As the committee puts it,

'The distinction of the peers of the realm as a separate class, by privileges confined to themselves personally as peers, and not extending to any others, but throwing at the same time all the rest of the free population into one class, having all equal rights, is a singularity which marks the constitution of the English government, and was first apparently clearly established by this statute to which all the other subjects of the realm gave their assent.'

And again they remark (p. 314) that

'the confinement of the privilege of peerage to those called the peers of the realm, as a personal privilege, giving no privilege or even legal rank to their families, and moulding all who had not that privilege, however high their birth, into the mass of the commons, has been considered an important feature in the constitution of the government of England. It may have prevailed, and probably did in some degree prevail before; but by this statute it was clearly and distinctly recognized.'

This is true; yet the object of the statute is not to shut out the peers' children from privilege, but to assert the disputed privilege of the peers themselves. The exclusion of the peers' children is a mere inference, though a necessary one. No legislator ever decreed in so many words the ex-

clusion of the children of peers from privilege, because no legislator ever in so many words decreed the privileges of the peers themselves.

By this time we may look on the position of the peerage as fully established. It is now fully received, as at least the ordinary rule, that the baron who was once summoned should always be summoned, and that his right to the summons should pass to his representative after him.* In short the parliamentary position of the baron has become *successive*, a word answering pretty well to *hereditary* in the older sense. A question might now arise as to the nature of the succession, a question which could not arise as long as the person summoned had no certainty that he would be summoned again. In other words, was it necessarily hereditary in the later sense of that word? That is to say, the question of peerage by tenure, or rather the question whether the succession to a peerage might be by tenure, now sprang up. Did the right to the summons, and thereby the right to the peerage, go with the territorial barony itself, or did it go according to the line of natural descent from the first summoned baron? There was a good deal to be said for the first view. We cannot doubt that barony by writ arose out of barony by tenure, that is, that the writ of summons was originally sent only to persons who held by barony, and, as the phrase 'majores barones' implies, not to all of them. If then the barony and the natural line of descent of the first summoned baron should be parted from each other, it was by no means unreasonable to argue that the writ, a consequence of the tenure, should go with the actual barony rather than follow the line of natural descent.† On the other hand, the natural feeling in favour of direct hereditary succession

* Lords' Report, ii. 28.

† See Stubbs, Const. Hist. iii. 438; Hist. Peerage, xxxviii. The same notion seems implied in the ancient practice of sending writs to the husbands of heiresses, even, by the courtesy of England, after the death of their wives.

would tell the other way, especially as soon as the doctrine of the ennobling of the blood had fully come in. It is that doctrine more than anything else which has got rid alike of peerages by tenure, of peerages for life, and of peerages held by the husbands of heiresses. If the peerage could pass by marriage or purchase, the doctrine of nobility of blood was set aside. Till that doctrine was fully established, there was nothing unreasonable in either practice. Again, as the hereditary right of the barons to the summons became the rule, writs were issued, even under Edward the First, to persons who had no baronial tenure at all,* and these writs came to be looked on as no less hereditary than those issued to the barons by tenure. These practices would of course tell in favour of strict hereditary succession, and against succession by tenure. The result was that hereditary succession became the rule, but that the claim of succession by tenure was brought forward in some particular cases. Such was the earldom of Arundel (more truly of Sussex) and the baronies of Abergavenny, Berkeley, and others. The earldom by tenure seems far more unreasonable than the barony by tenure. Yet it is held that the case of Arundel is the only one in which peerage by tenure has been allowed.† Nothing can be more foreign to the ancient notion of an earldom than that it should be attached to the ownership of certain lands and buildings: what is really proved is that by the eleventh year of Henry the Sixth the ancient notion of an earldom had been quite forgotten, and that the earldom had become a mere rank. But succession by tenure seems distinctly agreeable to the oldest notion of a barony, and those who have at different times claimed peerages by virtue of baronies by tenure have not been without strong arguments in the way of

* Stubbs, Const. Hist. ii. 204; Hist. Peerage, xxvi.

† See Lords' Report, i. 405 et seqq.; ii. 320. The succession was finally settled by Act of Parliament in 1627 (Lords' Report, ii. 292), and the preamble seems to acknowledge the fact of the earldom by tenure.

precedent. It is a fact to be noticed that, when the castle of Berkeley, which was supposed to carry with it the barony and peerage, was separated from the direct line of succession, the heirs were not summoned to Parliament, or were summoned as a new creation.* And the general question of barony by tenure was never settled by any strictly legal decision. There is only an Order in Council of 1669,† which declares against it on grounds rather of expediency than of law. It was declared in the case of the barony of Fitzwalter that 'barony by tenure had been discontinued for many ages, and was not then in being, and so not fit to be revived or to admit any pretence of right to succession thereon.' And the Lords' Committee ‡ give their own opinion that 'the right of any person to claim to be a lord of parliament, by reason of tenure, either as an earl or as a baron, supposing such a right to have existed at the time of the charter of John, may be considered as abrogated by the change of circumstances, without any distinct law for the purpose.' That is to say, the claim was as good as any other claim of peerage; it rested equally on usage; only it was inconvenient according to the new doctrine about blood being 'ennobled.'

The same age which saw the Earls and Barons put on the shape of an hereditary peerage was also that which saw the order enlarged by the creation of new classes of peers. The ancient Earls of England now saw men placed over their heads bearing the French titles of *Duke* and *Marquess*. Neither name was absolutely new in England; but both were now used in a new sense. *Duke* and *Earl* were in truth the same thing; *Dux*, afterwards supplanted by *Comes*, was the older Latin translation of the English *Ealdorman* or *Eorl*, and *Eorl* was the English word used for the *Dukes* as well as the Counts of other lands. So the

* See Appendix III to Sir Harris Nicolas' Report on the Barony of Lisle, specially pp. 321-327. See on the other hand, Lords' Report, ii. 143.

† Lords' Report, ii. 242.

‡ See p. 241.

Marchio, Markgraf, Marquis, was known in England in his official character as the *Lord Marcher*. But now, first Dukes in 1337, then Marquesses in 1386, appear as distinct ranks of peerage higher than Earl. That the Earls of England put up with such an assumption was most likely owing to the fact that the earliest Dukes were the King's own sons and near kinsmen, the first being Edward Duke of Cornwall, eldest son of Edward the Third. Lastly, the ranks of the temporal peerage were made up by the insertion of another French title, that of *Viscount*, between the Earls and the Barons. The first Viscount (other than in the ancient sense of Sheriff), John Beaumont, Viscount Beaumont, was placed in his patent 'super omnes barones regni.'* Since that time no title conveying the rights of peerage has been devised. The Lords' Committee † look on it as doubtful whether such a power abides in the Crown, and a decision, in the spirit of most of the arbitrary decisions of the House of Lords, would most likely rule that such a creation would give no right to a seat in Parliament. Yet if the Crown be, as lawyers tell us, the fountain of honour, it is hard to see why its streams should not flow as readily in one age as in another.

The five ranks of the temporal peerage were thus established in the order of Duke, Marquess, Earl, Viscount, Baron. But *Duke*, *Marquess*, and *Viscount* are strictly speaking titles in a sense in which *Baron* is not. *Baron* is very seldom used at any time as a personal description. ‡ In the writs the baron is commonly described by some of the endless forms of *senior*, or as *chivaler*, or sometimes—doubtless, if he held that particular dignity—as *banneret*. As for *bannerets*, though they seem sometimes to be mentioned along with various ranks of peerage,§ it does not

* Lords' Report, v. 235. Cf. Stubbs, Const. Hist. iii. 436.

† i. 470.

‡ Stubbs, Const. Hist. iii. 440. For some exceptional cases see Lords' Report, i. 261, 394; ii. 185.

§ Lords' Report, i. 328.

appear that *banneret* ever really was a rank of peerage, like the others from baron to duke.

The invention of these new ranks of peerage undoubtedly helped to strengthen the notion of the temporal peerage as an order distinct both from all who are not Lords of Parliament and from the Spiritual Lords also. Another novelty also came in along with the Dukes and Marquesses. The right of the Earls was immemorial; the right of the Barons had grown up by usage. Edward the Third began to *create* earls and, when dukes were invented, dukes also, by patent. They were commonly created in Parliament and with becoming ceremonies. Earls were thus first created in 1328. This bestowal of an earldom as an hereditary rank is another process from granting an earldom, conceived as an office or even as an estate. Later in the century, in 1387, Richard the Second began to create barons also by patent,* and this form of creation gradually supplanted the ancient peerage by writ. That practice seems now to have quite gone out of use, except in the case of the eldest son of a peer being called to the House of Lords in his father's lifetime. The new fashion of creation by patent may be looked at from several points of view. I have sometimes thought that one motive was to assert the King's power of free summons in another shape, after baronies by writ had fully become hereditary. The creation enabled the King to call a man to his councils without necessarily making the right *successive* in any shape, and, if it was made successive, it might be made successive in any line that was thought good. In the case of the baronies by writ it had come to be understood that the succession was to be in the heirs-general of the persons first summoned, words to be understood, it would seem, of the heirs-general of his body only. In a barony or other peerage conferred by patent the line of succession may take any shape that seems good to the Crown; the most common limitation is to the heirs male

* Stubbs, Const. Hist. iii. 446.

of the body of the grantee.* And the manifest right of the Crown to name no line of succession at all, that is to create a life-peerage, was never questioned, and was often exercised in the first days of dukes and marquesses. A Duke of Exeter was created for life as late as 1416. And some notice may well be taken of the strange patent of the barony of Lisle in 1444, which may be called the creation by patent of a barony by tenure.† The patent seems to grant a barony with a seat in Parliament to the grantee John Talbot and his heirs and assigns, being lords of the manor of Kingston Lisle. This is certainly strange; but if we once grant the royal power to create peerages and to limit their succession at pleasure, it seems necessarily to follow that the Crown may exercise that power in any way that it chooses, whether by limiting it to the grantee personally or giving any kind of remainder that is thought good.

By this time, before the end of the fifteenth century, the temporal peerage, in its five orders, was fully established, practically established, we may say, as an hereditary body. For though the right of the Crown to create a peer for life was not yet denied, it was so rarely exercised as to seem something exceptional. The House of Lords now consisted of the Lords Spiritual—the Bishops, the greater Abbots, and two or three other churchmen—and of the Lords Temporal—Dukes, Marquesses, Earls, Viscounts, and Barons. The distinction of greater and lesser, parliamentary and non-parliamentary barons, is forgotten; *baron* is now simply the lowest rank of temporal peerage. All these have their personal seats in Parliament. Temporal men under the order of baron are *Commoners*, represented in the House

* On other lines of succession, specially on that of the dukedom of Somerset, where the line of the second son was preferred to that of the elder, see Historic Peerage, xv.

† See Sir Harris Nicolas' special volume on the Barony of Lisle. See also Lords' Report, ii. 199 et seqq.; v. 243. Stubbs, Const. Hist. iii. 487.

of Commons. The estate of the Clergy, as distinct from the Lords Spiritual, gradually dies out in its strictly parliamentary character, and the two Houses of Lords and Commons alone abide.

Now two points ought here to be noticed as to the constitution of the House. The point at which the line between Lords and Commons was finally drawn was hardly where it might have been looked for. One would have said that in the thirteenth century the gap between the earl and the baron, and again the gap between the knight and the citizen, was far wider than the gap between the baron and the knight, men, one might have thought, of the same class, differing only in the amount of their estates. But, in the shape which things finally took, the barons were acknowledged as a rank of the peerage, with seats in the House of Lords, while the knights chosen to represent the shires sat in the House of Commons along with the citizens and burgesses. This was one of the happiest of accidents; it helped largely with other causes to hinder the growth in England of a nobility of the continental sort. Everywhere else men in the position of the knights were looked on as noble; here they were commoners, leaders of the Commons. That they so became was one of the happiest results of the gradually working of silent cause. No enactment ever ordained it; that the line was finally drawn between baron and knight came of the shape which the practice of summons gradually settled into.

It is easy to see how the growth of the several classes of hereditary Lords of Parliament tended to strengthen the notion of the temporal peerage as a body by itself, apart from all other men, even from those Lords of Parliament whose seats were not hereditary. Here were five classes of men who were not peers in the sense of strict equality among themselves, but who were peers in the sense of having each of them an equal right to something peculiar to themselves, something which was so far from being shared with any

who were not Lords of Parliament that it was not shared by all who were. The Archbishop took precedence of the Duke, the Bishop took precedence of the Baron; but Duke and Baron alike shared in something which Archbishop and Bishop had not, the hereditary right to a summons to Parliament. The peerage of the Temporal Lord came to be looked on as something inherent in the blood, something which could not, like the official seat of the churchman, be resigned or lost by any means except by such legal processes as involved 'corruption of blood.' The parliamentary powers, the formal precedence, of the Spiritual Lords were not touched; but the idea silently grew that they were not the *peers* of the hereditary members of the House. In short, the doctrine grew that the Temporal Lords alone were *peers*, as alone having their blood 'ennobled,' which is the herald's way of saying that they held their seats by hereditary right. The extinction of so many temporal peerages in the Wars of the Roses, the creation of so many new peerages under the Tudors, while in one way they lowered the strength and dignity of the order, in another way helped more and more to mark it out as a separate order, distinct from all others.

But the Spiritual Lords were not the only class that lost by the growth of the doctrine of hereditary peerage. No doctrine about blood or peerage could get rid of the fact that the parliamentary position of the Bishops and the greater Abbots was as old as that of the Earls, far older than that of the Barons, to say nothing of the ranks more lately devised. But there was another body of men whom the growth of the hereditary doctrine hindered from becoming peers, and from becoming Lords of Parliament in any full sense. These were the Judges. As the Judges grew to be a distinct and recognized class, they came to be summoned to Parliament like the Barons. The same reason which made it expedient to summon Bishops, Earls, and Barons, made it expedient to summon Judges also. It would not have been unreasonable if, in the many shiftings

and experiments which took place before the constitution of the two Houses finally settled itself, the Judges had come to hold official seats in the House of Lords in the same way as the Bishops. But the growth and strengthening of the hereditary doctrine hindered the Judges as a body from ever winning the same position in Parliament as the Bishops and Abbots. They had not the same antiquity; they had not the same territorial position; their tenure was less secure; the Spiritual Lord might lose his office by resignation or by a legal process; the Judge might lose his by the arbitrary will of the sovereign. The Bishops then could be denied the right of personal peerage; they could not be denied their full parliamentary position, their seats and votes. But the same feeling which took away the personal peerage of the Bishop hindered the Judge from ever obtaining the personal peerage, and even from obtaining a full seat and vote in Parliament. Owing to these influences, the Judges have ever held an anomalous position in Parliament; they came to be in a manner in the House of Lords but not of it, to be its counsellors and assessors, but not its members.

We might thus say that the encroaching hereditary element in the House absorbed the Earls, shut out the Judges, and kept down the Spiritual Lords as far as might be. Still, for a long time, the hereditary class, the more modern class—what if one should say the upstart class?—though ever waxing stronger and stronger, were not the majority in the House. Down to the suppression of the monasteries, the Spiritual Lords still outnumbered them. When the Abbots vanished from the House, the House for the first time became more largely hereditary than official. We now come, in the course of the next two centuries, to see the fuller working of the theories under which this hereditary majority had grown up. A series of deductions are gradually made, naturally enough as deductions from certain premisses; only the premisses cannot be admitted except by trampling all ancient precedents under foot.

First of all comes one change of which we have already spoken, the denial of some of the personal privileges of peerage to the Spiritual Lords. This followed directly on the new doctrine about 'ennobling the blood,' but, as a matter of fact, the attack on the rights of the Spiritual Lords did not begin by any act of the House, but by the practice of the Tudors. In defiance of the principle established by Archbishop Stratford under Edward the Third, Bishop Fisher, Abbot Whiting, and Archbishop Cranmer, were tried by juries, instead of by the King's Court in Parliament. Against this course no remonstrance seems to have been made; the times were not favourable for remonstrances, least of all for remonstrances made on behalf of spiritual persons. But the House, now mainly hereditary, presently stepped in to help. The doctrine that the Spiritual Lords, though undoubted Lords of Parliament, were not peers, was established by a standing order of the House of Lords, which must be older than 1625, as it is referred to in the Journals of the House in that year.* The more modern class in the House had now fully got the better of their elders.

The next change was one not made by the House of Lords alone, but by the Legislature of which the House is one branch. This was when the House, now mainly hereditary, became for a short season wholly so. But this change was not caused directly by any hereditary theory, but by the general dislike which the Bishops of Charles the First's time had brought upon themselves. They were shut out by an Act of the Long Parliament in 1642. This, as a real and lawful act of the Legislature, stands distinguished from the process by which so much of the so-called law on the subject grew up. The whole hereditary theory, so far as it has any groundwork at all, grew up through a series of resolutions, dictated for the most part,

* The matter was then referred to a Committee of Privileges for further consideration; but no report is recorded. Cf. Coke's Institutes, ii. 30.

we may venture to say, neither by precedent nor by written law, but by the prejudices and assumptions of a particular class of men. Now it was first affirmed by law, except so far as the question of life-peerages was still left open. The Act too stands distinguished from the process by which the Temporal Lords presently came under the same fate as the Spiritual. The purely hereditary House was not long-lived, nor was its career specially glorious. The exclusion of the Bishops by the regular Act of 1642 was followed in 1649 by the less regular exclusion of the Temporal Lords also. The House of Lords was abolished by a vote of the House of Commons only. The essence of peerage was thus taken away; but the peers kept their titles and precedence, and they were allowed to be chosen to seats in the House of Commons. Then, when a remnant of the Commons had got rid of the remnant of the Lords, when that remnant had ruled for a moment without either Lords or King, presently King and Lords came back for another moment under other shapes and other names. And then the keen eye of the Protector saw the relation which, in a system of two Houses, one House must in the end come to take to the other. He gathered a Parliament of two Houses, the House of Commons and 'the Other House.' 'Other House' is plain English for what in grander words is called a 'Second Chamber.' By a series of accidents the 'bicameral system' had grown up. King Edward had meant to have three Estates. But one of those Estates had long refused to act. Two Houses were left, and it had been shown which of the two was the stronger. The state of things which had gradually come about was acknowledged by Cromwell as a fact, and from him it received a name. There was the House of Commons, representative of the nation, and there was something else. There was another body, whether hereditary, elective, or nominated, was a matter of detail. That body was secondary in the constitution; the other was primary. The one in short was the House of Commons; the other was only 'the Other House.'

'The Protector and his 'Other House' passed away, and presently the older 'Other House,' the House of Lords, the House which had become hereditary, which at that moment was strictly and purely hereditary, came again into being. When the old constitution of Parliament revived in 1660, the Ordinance of 1649, abolishing the House of Lords, was naturally treated as null, while the Act of 1642, taking away the seats of the Bishops, was of course treated as valid. In 1660 therefore a House of Lords again sat which consisted wholly of Temporal Lords. An early act of this purely hereditary body was to join in a vote that it would no longer be purely hereditary. By an Act of 1661, the official members of the House, the survivors of the ancient Witan of the land, were called back to their places.

The results of all these changes came to this. The Temporal Lords gained a great advantage over the Spiritual Lords. In legal eyes the Temporal Lords had kept their position unbroken; they had been set aside by an act of unlaw, and they had come back naturally as soon as the reign of law came back again. But the Spiritual Lords had been for a while dispensed with in Assemblies which were perfectly legal. They were put out by one Act of Parliament; they were brought back by another. They were restored to their former rights; but they had regularly lost them, while the Temporal Lords had never regularly lost theirs. It was not wonderful then that in the Parliament of 1661 the position of the restored Spiritual Lords became again a matter of question. The House appointed a Committee 'to consider of an order in the standing order of this House which mentions the Lords the Bishops to be only Lords of parliament and not peers, *whereas several Acts of Parliament mentions them to be peers.*' Nothing came of the labours of this second Committee, and the doctrine which it was to consider has since been held for law, instead of the older doctrine which they found in 'several Acts of Parliament.' Both the doctrine and the reason given for it

have raised the indignation, not only of the two great constitutional historians, one of them himself a churchman, but of at least one great legal authority.* The attack on the rights of the Spiritual Lords was carried yet further by the Commons in the case of the Earl of Danby in 1679, when they objected to their voting on an impeachment even in its preliminary stages. Their right to take a part in all such proceedings up to the question which might involve life or death (a share in which on the part of churchmen would be contrary to canon law) is asserted by the eleventh article of the Constitutions of Clarendon.† The question now raised, which was decided in favour of the Bishops, according to the terms of the Constitutions, did not directly touch the question of the peerage of the Bishops, but it had an indirect connexion with it. The denial of the Bishops' peerage implied that they had no right to be tried as peers in the Court of the King in Parliament, as not being, as the phrase goes, 'of trial by nobility.' It might therefore be plausibly argued that they had no right to be judges in that court. The right of the Bishops to vote on a bill of attainder, which, on any canonical ground, would seem quite as objectionable as their voting on an impeachment, was never denied, because a bill of attainder is a legislative act, and does not touch the question of peerage. Indeed, we may say that the law is still far from clear on the whole matter. The statute of 1696 (7 and 8 Will. III.) for 'regulating of Trials in cases of Treason and Misprision of Treason' speaks of 'trials of peers' and of 'all the peers who have a right to sit and vote in Parliament,' without distinctly defining whether the word *peer* is meant to apply to the Lords Temporal only.

In the same century a step was taken of another kind, but one which, like the dealings with the Spiritual Lords,

* See Blackstone, book i. c. 12, vol. i. p. 401, ed. Christian; and contrast Stephen, New Commentaries, ii. 590, and Kerr's Blackstone, i. 407; cf. Hallam, Middle Ages, ii. 138; Lords' Report, ii. 323, 339.

† Stubbs, Select Charters, 133.

tended to strengthen the doctrine of hereditary peerage. Twice, once before the temporary abolition of the House, once after its restoration, in 1640 and in 1678, it was declared by resolution of the House that a peer could not relinquish his peerage, by surrender to the Crown, by alienation to any other person, or in any other way.* A peerage can be forfeited only by attainder or by Act of Parliament. Of this last process there seems to be only one case, that of George Neville, Duke of Bedford, degraded by Parliament in the reign of Edward the Fourth, as not being wealthy enough to support his dignity. This of course, like attainder by Act of Parliament, comes under the general principle that Parliament may do anything.† The decision against relinquishing a peerage was distinctly against earlier precedents, and one could conceive cases in which such a power might be useful. But the rule, as laid down in the resolution, springs directly from the doctrine of 'ennobling the blood.'

The next point in the history of the peerage is one which, like the shutting out of the Spiritual Lords in 1640, was a matter of real legislation as distinguished from decisions and resolutions. This was the change in the theory of peerage which followed on the union of England and Scotland in 1707. By the treaty of union the peerage of Scotland was to be represented by sixteen of its number chosen for each Parliament by the Scottish peers themselves. This amounted, as has been already set forth, to the creation of a class of men who are peers as concerns their personal privileges, but who are Lords of Parliament only *in posse* and not *in esse*. It further brought in a new principle, that of election within a class. The Scottish peers were made incapable of sitting in the House of Commons, and

* Lords' Report, ii. 25, 26, 48.

† It is further held, by a subtlety too refined for the mind of a commoner (Historic Peerage, lxviii.), that, while an attainder for high treason extinguishes a peerage of any kind, an attainder for felony extinguishes a peerage by writ, but not a peerage by patent.

the Scottish peerage was doomed to gradual extinction, as no new peers of Scotland were to be created. And further, the House of Lords, strengthened by the admission of a new class, went on to strike a blow, if not at the new class of its own members, yet at the class from whom those new members were chosen. By a resolution of the year 1711, it was held during the greater part of the last century that a patent of British peerage granted to a Scottish peer did not give him the right to a seat in Parliament. This rule is no longer enforced; and it is hard to see by what right the House of Lords, by a mere resolution, could take away the power which our Kings had so long exercised of conferring peerages on any of their subjects whom they thought good.

The union with Ireland in 1800 created another class of members of the House of the same general kind as the representative peers of Scotland, as sitting like them by election within a class. But their position differs from that of the Scottish peers in some important points of detail. The twenty-eight representative peers of Ireland are chosen for life, and the other Irish peers are capable of sitting in the House of Commons for constituencies in Great Britain; only by so doing they lose the privileges of peerage (other than mere titles and precedence) so long as they are members of that body. The Irish peerage is doomed to extinction as well as the Scottish; but, as one Irish peerage may be created whenever three have become extinct, the extinction will be slower. This last rule is surely one of the very oddest, and creates one of the strangest positions in which a man can be placed. As long as Scotland and Ireland were separate kingdoms, the common sovereign of all three could bestow Scottish and Irish peerages on his English subjects. The honourable names of Falkland and Fairfax in the seventeenth century, and a crowd of less honourable names in the eighteenth century, at once suggest themselves. The men so created were real peers of Scotland and Ireland, and could take their seats in the parliaments of those kingdoms if they

chose. But the Irish peer created during the present century is a very anomalous kind of being. He is not like an ancient peer of Scotland or Ireland cut down to a position below that of his forefathers. He has to be sure the special privileges and special disqualifications of other Irish peers; otherwise he is most like a bigger baronet, only with the comparison with a real peer more strongly brought out than it is in the case of any baronet or other commoner.

Between these two acts—or rather treaties—which took effect in 1707 and 1800, an attempt at legislation with regard to the peerage was made which, if carried out, would have altogether changed its character. This was the Peerage Bill of 1719. That bill was not carried, but its proposals are worth notice, not only because they would, if they had become law, have altogether changed the nature of the peerage as a political institution, but also because they illustrate the way in which the peerage and everything belonging to it had grown up gradually by force of precedent. The right of the Crown to create peers at pleasure, and to entail their peerages on any line of succession that it thought good, had never been disputed, but neither had it ever been made the subject of any legislative enactment. The proposed bill, in limiting both powers, would have given them their first being by formal legislation. The proposal was that the peerage of Great Britain should, after a creation of six peers, be confined to its existing number, with an exception in favour of members of the royal family. For the future, with that exception, no peerage was to be created, except when one had become extinct. Instead of the sixteen elective peers of Scotland, the King was to bestow hereditary seats on twenty-five members of the Scottish peerage, and the number was to be kept up by a new promotion whenever any of the twenty-five peerages became extinct. It was forcibly remarked at the time that this would place the remainder of the Scottish peerage in a condition politically inferior to that of all other British subjects, as they would have been at once incapable of

sitting in either House of Parliament and of choosing those who should sit in either. But the general effect of the bill on the constitution of the country would have been far more important. The Crown would have lost one of its chief powers, and the relations between the peers and the rest of the nation would have been altogether changed. They would not have come any nearer to the strict notion of a nobility, for it was not proposed to confer direct privilege on any but the peers themselves. But the bill would have placed both the peers and their families in a wholly new position. They would have become a body into which no one could be raised, except in the occasional case of a peerage becoming extinct. It would have been impossible to move a statesman from the Commons to the Lords at any moment when it might be for the public good that he should be moved. Even the Lord Chancellor, the Speaker of the House of Lords, could not have received a peerage, unless one chanced to be extinct at the needful time. It is plain that the peers, if they did not become a nobility, would have become an oligarchy, a close body, cut off both from the Crown and from the mass of the people in a way in which they had never been cut off before.

During all these ages, the ancient right of the Crown to create peers for life, never abolished, never seriously questioned, was hardly ever exercised, except in the case of peeresses, which of course did not directly affect the right to seats in Parliament*. The right was constantly asserted by the best lawyers, and it is admitted even

* See Nicolas, Historic Peerage, xlvi. Erskine-May, Constitutional History, i. 292. One hardly knows what to make of such creations as those of Lord Hay in 1606 and Lord Reede in 1644, the accounts of which in the Historic Peerage (xlvi. 243, 394) seem somewhat contradictory. But if the creation of Lord Hay was a real creation of a peer for life, but without the right to a seat in Parliament, it was so defined by a clause in the patent itself, which would seem to imply that, without such a clause, the creation would have given a right to a seat in Parliament.

in the Lords' Report.* At last, within the present reign, the Crown once more exercised this undoubted right, only to be baffled by the insolent opposition of the comparatively modern class who had step by step practically made themselves the House of Lords. An occasion was chosen to assert an ancient and wholesome principle, to assert a power which ancient kings had freely exercised, and which, as no Act of Parliament had ever taken it away, still, in all law and reason, lived on among the powers of the Crown. The experiment, for such it had come to be, was naturally made in the person of an eminent lawyer. For assuredly in any Senate or 'Other House,' no class of men is more needed than eminent lawyers, while experience seems to show that no class of men is less needed than their sons and grandsons. And the experiment was made in the person of one who was childless, so that no practical question could arise; it was the simple assertion of a principle. In 1856 Sir James Parke was by letters-patent created a peer for life, by the title of Baron Wensleydale. The creation by patent was seemingly chosen because a writ of summons would not have settled the question in the case of a childless man. It would have been taken for granted that his 'blood' was 'ennobled,' though there was no one to continue the line of nobility. And for a writ formally shutting out the non-existent descendants of the person summoned there could certainly have been no precedent. As it was, the House of Lords refused to allow Lord Wensleydale to take his seat. The Crown, it was said, could give Sir James Parke the rank and title of a baron; it could not give him a seat in Parliament, unless the patent was so worded as to pass on that rank and title to somebody else after him. That is to say, the hereditary peers, in defiance of law, in gross contempt of the lawful authority of the Crown, took upon them to refuse admission to a Lord of Parliament, lawfully created, lawfully summoned, merely because the Crown

* ii. 77. See Erskine-May, i. 294.

had not bound itself, in the nineteenth century any more than in the thirteenth or fourteenth, to summon his imaginary descendants after him. The rights of the Crown, the reason and expediency of the case, were all sacrificed to the silly superstition about 'ennobling of blood.' And the leaders in this act of unlaw were newly created law Lords, who must have known that it was unlaw that they were ruling. But they thought themselves grander than Lord Wensleydale because they had patents of peerage for their sons after them, though those sons were in some cases no less imaginary than the sons of Lord Wensleydale. King Edward would have been glad of such a counsellor; but hereditary peers of a creation a few years older than his own scorned him because his 'blood' was not 'ennobled' like their own. To the clamour of the hereditary Lords, specially of the new-made and childless Lords, the Crown yielded its ancient and undoubted right. Lord Wensleydale, lawfully summoned to Parliament, was shut out from his seat till a new patent was granted to him securing the seat after him to the descendants who were not in being. Then forsooth his 'blood' was 'ennobled;' and members of his own profession whose blood had gone through that mysterious change a year or two earlier might without degradation sit alongside of him.

The story of the Wensleydale peerage may be well followed by the singular comments made on it by one who took upon himself the functions of Hallam and Stubbs, and who further aspired, in a very remarkable fashion, to be the historian of Democracy. Sir Thomas Erskine-May, afterwards for a moment himself a peer, he who 'could not but smile at the superstition' of Timoleôn, and who thought that Duke Leopold at Morgarten commanded 'an Imperial army,' had his views about Lord Wensleydale also. He records with admiration* the resolution of the House to shut out Lord Wensleydale, and further tells us that 'by constitutional usage, having the force of law, the House of

* Const. Hist. i. 296.

Lords had been for centuries a *chamber consisting of hereditary counsellors of the Crown*,' and that 'the Crown could not change its constitution by admitting a life-peer to a seat in Parliament.' At this stage it would seem that the Chief Clerk of the House of Commons had not grasped the fact of the existence of the Spiritual Lords. Three pages further on, he found out that the House of Lords contained members whose seats were not 'hereditary' in the modern sense, and it is not likely that he used the word 'hereditary' in its older meaning.

The decision against Lord Wensleydale's life-peerage ends the series of mere resolutions of one House, not real Acts of the whole Parliament, by which the strange fabric of the hereditary peerage has been built up. Meanwhile the older element in the House, that of the Lords Spiritual, has gone through a good deal of change in a more lawful and regular manner. The constitution of the House has been affected by the union with Ireland, by the disestablishment of the Irish Church, and by the increase in the number of English bishoprics. By the Act of Union one Irish Archbishop and four Bishops—by a later Act only three—were entitled to seats in rotation, changing, not from Parliament to Parliament, but from session to session. Each Irish Bishop was thus a Lord of Parliament *in posse*, like the Scottish and Irish temporal peers, only with the certainty of a seat some time, if he lived long enough. By the Act of Disestablishment in 1869 the Irish Bishops lost their seats altogether. And by two Acts of the present reign, the English prelates, except the holders of the two archiepiscopal sees and those of London, Durham, and Winchester, have their position altogether changed. The number of Bishops has been increased, but not the number of Spiritual Lords. The Bishop therefore who holds any see but one of those five waits for his summons to Parliament till he reaches it by seniority. Till then he too is a Lord of Parliament *in posse*.

These changes, like the introduction of the Scottish and Irish representative peers, brought in some wholly new notions as to the appointment of peers. Besides the strictly hereditary and the strictly official succession, the Irish and Scottish temporal peers had brought in the notion of election by a class. The Irish Bishops brought in the notion of rotation within a class. The change in the position of the English Bishops brought in yet another notion, that of seniority within a class. It is now only the two Archbishops and three other Bishops who sit by their immemorial right, whatever we take that right to be. The rest sit, not as holders of certain sees, but as having reached a certain seniority among the holders of sees. We can thus say that several ways of reaching the House of Lords are, or lately have been, in actual use. That of election by a class out of a class is one which has found favour with some of those who have devised Senates or 'Other Houses' in other lands. Rotation within a class, in the form which it took in the case of the Irish Bishops, seems contrary to the nature of a summons, which one would think was necessarily a summons for the whole life of a Parliament. The rotation by session was perhaps more convenient in practice in that particular case; but the arrangement and the occasion for it has passed away.

Later still, a change has been made which, though its shape is somewhat singular, is certainly, as far as it goes, a return to older notions. The more modern element in the House, the blood-ennobled element which so scorned the life-peerage of Lord Wensleydale, has had to submit to receive colleagues whose blood has not been ennobled. The grotesque pride of the hereditary peers surely underwent a slight shock when new official Lords, not holding hereditary peerages, but more truly representing the ancient Witan than those who do, began to sit and vote in the House in which their sons will have no claim to sit and vote after them. These are the Lords of Appeal in Ordinary, not hereditary Lords of Parliament, not necessarily

Lords of Parliament for life, but strictly official Lords, whose real position is a little veiled by a curious attempt to make them look as much like hereditary Lords as possible. While the question of life-peers was left in abeyance after the second patent to Lord Wensleydale, this new class of Lords, somewhat less than life-peers, was created by an Act of 1876. The Lords of Appeal in Ordinary are paid officers, who hold their office, like other Judges, during good behaviour, who are Lords of Parliament, with a right to a writ of summons to sit and vote so long as they hold office, and who rank for life as Barons with such titles as the Crown may appoint. In the case therefore of the resignation or removal from office of a Lord of Appeal we should have the non-parliamentary Baron revived. Whether in such a case he would be entitled to be tried in the King's Court in Parliament does not appear. Nor does the Act rule whether the Lord so created is a peer, either while he is a Lord of Parliament or after he ceases to be such. The doctrine of 'ennobling of blood' would seem to imply that, as his title is not hereditary, he is not a peer. It would follow then that a Lord of Appeal who has resigned or has been removed, though 'entitled to rank as a Baron for life,' is a Baron who is neither a Peer nor a Lord of Parliament.

Lastly, though the interest of the question is purely antiquarian, it is quite worth the while of any constitutional antiquary to find out for certain whether there are not still two offices which give their holders official seats by ancient and immemorial right. The question is unluckily overshadowed by the fact that both offices are held by the same person, and moreover by one who sits in the House by virtue of a hereditary peerage of higher rank but of far more modern creation. It is surely a small matter to be a mere Duke of Norfolk, created by Richard the Third, compared with the immemorial honours of the Earl Marshal and the Earl of Arundel. The Earl Marshal, though his office has become hereditary, surely holds an official seat just as much

as an Archbishop or a Lord of Appeal in Ordinary. And 'Earl of Arundel,' whatever we say as to his tenure of the castle, is surely little more than a nickname for the Earl of the South-Saxons, successor of Roger, successor of Gyrth. He at least has kept his place by unbroken right from the days when King William had much deep speech with his Witan at Gloucester, and when all folk chose Eadward to King on London.

We have thus gone through the steps by which the House of Lords gradually put on its present shape. We have seen how the official assembly gradually grew into an assembly mainly hereditary, for a few years wholly hereditary, how the official element was restored, and how it has been slightly strengthened even in our own day. It is far easier to show how the House thus formed came to take the peculiar position which it actually holds in the State. Let us look back for a moment to the series of propositions—imaginary propositions certainly—with which we started. If any one insists on fixing a date when it was decreed of set purpose to have a House which should mainly represent the hereditary principle, but which should also, in a kind of exceptional way, do something towards representing virtue and religion, the time for that remarkable transaction must be looked for in the first Parliament of Charles the Second, and at no earlier time. For in earlier Parliaments the Spiritual Lords sat simply by immemorial right. Since 1661 they have sat, because it was then, on whatever ground, deliberately thought good to add them to a body which at that moment was purely hereditary. So further, if any one insists on fixing a date when it was decreed of set purpose to have a Parliament of two Houses, neither more nor less, and that one of those Houses should stand to the other in the relation which modern political language expresses by the phrase 'Second Chamber,' the time for that transaction may, with a good deal more of truth and reason, be fixed to the days of the Protector Oliver and to

no earlier time. It is certain that the wisdom of our forefathers, that is the wisdom of King Edward the First, knew nothing about these things. But the Protector Oliver did rule that it was well to have two Houses, but that one of them should be only 'the Other House.' In other words, he marked the facts, and shaped his language according to the facts.

Putting aside these remarkable moments in which the constitution and objects of the House were ruled by somewhat of deliberate purpose, we cannot say that the House was ever called into being to bring about certain particular objects. We cannot say this even in the modified and general sense in which we may say that the House of Commons was called into being to carry out certain other objects. And the history of the House of Commons has determined the history of the House of Lords. Most of the peculiar features of the House of Lords have come of the fact that the House of Commons arose by its side. And this is preeminently true of its character as a 'Second Chamber.' Of two riders on one horse one must ride foremost. In this case the younger, once the weaker, rider came to ride foremost. The House which was first in date and first in honour has become second in power. For a while the elder house, the 'Upper House,' was really the Upper House. For a while the Commons were content to follow the lead of the Lords. It was natural that it should be so. It was the peculiar happiness of England that the Lords really had no interests apart from those of the rest of the people, that they could in truth act only as leaders of the people. Through the whole history of the two Houses their agreement has been far more remarkable than their disagreement. Their agreement has indeed for some time past taken the shape of yielding by the Lords to the will of the Commons; still, on the whole, through so many centuries, the general agreement of the two Houses has been remarkable. When the Houses have had disputes, it has seldom been on great questions of policy, but more often on some formal points

of little interest to any but the members of the two Houses. The Houses have agreed, because the increase of the powers of the one House, the lessening of the powers of the other, have been gradual and silent. In a country like ours, which has no written constitution, where things are practically managed according to a system of understandings of which no court of law knows anything, it is seldom needful to make formal enactments as to the powers of any of the great branches of the State. The powers of the Crown, of its Ministers, of the House of Lords, of the House of Commons, are practically whatever they have come to be. It is a long time since it was found needful to make any formal enactments about the powers of any of them. As those powers have differed greatly at different times, we might almost say that in every age they have been what it was fitting that they should be in that age. We may certainly say that in every age they have been what it was natural that they should be in that age. Things have settled themselves, not by formal enactments, but by the gradual working of practical needs. They may settle themselves again in some other way. The last two hundred years have been spent in silently fixing how powers which have not been formally changed shall be practically exercised. The work is still going on; within the last twenty or thirty years several important constitutional changes have been silently made, not only without any formal enactment, but almost without any general remark. One may believe that, if it is determined not to destroy the House of Lords, but to reform it, it may be found quite enough to change its constitution, without saying a word about its powers. It may keep the same formal powers that it has now, leaving it to the course of events to settle their practical use. And we must be prepared for the chance that the practical powers of a reformed House of Lords, one in which the nation could put more trust than it does in the present House, might, in the silent working of causes, grow not less but greater. There might even be the chance

that, if we ever again come to formal enactments, if we deliberately set up a Second Chamber as a Second Chamber, it may be found expedient to give that chamber by law some special powers, such as those which belong to the American and French Senates.

We may here look at one special instance of this silent practical working of things. Since Parliaments have been at all, one of their main objects has been to obtain control, in one shape or another, over the working of the executive government. In the old times of all, the Witan of the land dealt with such matters directly. They chose kings; they deposed earls and bishops; they decided the foreign policy of the kingdom. The great debate of the year 1045, when Earl Godwine proposed to send fifty ships to the help of Denmark, and when it seemed good to Earl Leofric and to 'all folk' not to send them, could not have had its likeness again for some ages. But all through the thirteenth century, the national assembly, whatever its name or composition, was ever seeking to get the appointment of the King's ministers into its own hands. In the fourteenth century the Commons made a most remarkable proposal, namely, that the great officers of State should be chosen by the Lords. In those days the thought was most likely a wise one. The Commons knew what was needed for the welfare of the kingdom; the Lords were likely better to know who were the best men to do the work, just as they were better fitted than the Commons to act in the King's Court in Parliament. King Edward the Third rejected the petition, and it is well that he did so. No mode of appointment could have been so bad in the long run. The Commons could never have won the same silent control over the Lords, which they did win over the King. Disputes between the Houses would have been endless. As the power remained in the King, the Commons could in the end win a practical control over it.

In truth our whole political system is in this way the better for having grown up bit by bit as it was wanted. The rule

'nolumus leges Angliæ mutari' has held in all ages. Our forefathers in all ages rejoiced in the belief that they were not making new laws, but only better enforcing the old ones. All our greatest assertions of popular rights, from the thirteenth century to the seventeenth, take this shape. They claim nothing new; they demand only that the existing law shall be ascertained and put in practice. The House of Commons has shaped itself and has defined its own powers, just as the House of Lords has done. The successive changes which have fixed the relations between the Crown and the House of Commons have been most of them made without any formal enactment, many of them without any formal record. Even in earlier times, not a few of our great political landmarks were established gradually and silently; no statute enacted them, though later statutes constantly took them for granted. It is nowhere ordained, except among our unwritten traditions, that the Crown is bound to dismiss ministers who have clearly lost the confidence of the House of Commons. Still less can we find any formal record of our last established constitutional principle, the principle that a minister is bound to resign, not merely when the House of Commons has decided against him, but when the result of a general election makes it morally certain that the House of Commons would decide against him. As far as the letter of the law goes, the Crown has as good a right to refuse the royal assent to a bill which has passed both Houses as the House of Lords has to throw out a bill which has come up to it from the House of Commons. These things are not written in black and white anywhere; but the chief pretensions of the hereditary peerage are written in black and white somewhere, though not in the enacting clauses of any Act of Parliament, but merely in resolutions of the House itself. Here comes in the distinction between developement and corruption, between change for good and change for evil. There have been times of backsliding; there have been times when the House of Commons has ceased to represent the people, and has acted in the same narrow corporate

spirit as the House of Lords. But, taking the general run of English history, the advance of the power of the Commons has meant the general advance of the nation, the advance of freedom and order side by side. And it is to be noticed that nearly every advance of the Commons has been marked, silently at least, by the falling back of the Lords. The controlling powers of Parliament, once shared alike by both Houses, have passed away from the Lords. It is no longer in the Lords, but in the Commons, that legislation of special moment begins. By 'parliamentary government' we have come to understand an influence on the executive power, not wielded by Parliament in its two Houses, but by the Lower House of Parliament only.

On the formal powers of the House of Lords it is hardly needful to say anything more. But a word or two may be said as to the practical position which the House has gradually taken, that which the Protector Oliver recognized in his phrase of 'the Other House.' We must remember that that position has been the gradual result of a series of causes, all of which take for granted the accident which made all the others possible, the accident which gave us two Houses of Parliament, and not one, three, or four. The peculiar functions of a Second Chamber could not be thrown on any one of the three Houses of the States-General of France; they cannot be thrown on any one of the four Houses of the Diet of Finland. But they have come to be thrown on one of our two Houses, namely, on the House of Lords. And our two Houses and the relations between them have supplied the models for countless constitutions in Europe and America, wherever it has been sought to establish a system of two chambers. The constitution of the House of Lords has seldom been exactly imitated;* but its position as a second

* I believe that, among all the second chambers that have been called into being within the last hundred years, the French Chamber of Peers, as it stood from 1815 to 1830, is the only hereditary one. It must of course be borne in mind that, while an elective or nominated house can be called into being by a single enactment, an hereditary

or revising chamber has been imitated over and over again. It may be well to stop and see what is implied in such a position.

The Protector's phrase of 'the Other House' and the more polite 'Second Chamber' of modern speculation both express the same meaning. The body so spoken of is conceived only in reference to something else. They imply the existence of another body; they imply that 'the Other House' stands in a relation to 'the House' in which 'the House' does not stand to it. They might almost imply that the 'Other House' exists only to stand in that relation to 'the House.' They imply that 'the House' can be conceived standing alone, while the 'Other House' cannot be conceived standing alone. 'The House,' in short, is absolutely essential; it could not be dispensed with. The 'Other House' may be ornamental; it may be useful; it may discharge some functions better than 'the House' can; it may answer a thousand good ends in various ways; but it is not absolutely essential; the commonwealth might be conceived going on without it. This is something like the generally received notion of a 'Second Chamber' or 'Senate.' It is manifestly not a true historical description of the House of Lords, but it is in a rough way not a bad description of the position which the House of Lords has in the course of ages come to take. That House, now practically become a 'Second Chamber,' has reached that point at which it becomes matter of discussion whether it is worth keeping or not. It has further reached the point at which it is often tempted to talk about itself and its

house needs time to grow. It must be an elective or nominated house in the first instance, and the seats in it which are to pass to the sons of the first holders cannot for many years gather the hereditary sentiment about them in the same way in which it attaches to the House of Lords. For this reason, and doubtless for others, there is now no such thing as an hereditary house in any of the chief European constitutions. Except in the peculiar constitution of the German Empire, as a federation of princes, election or nomination, or some combination of the two, prevails everywhere.

own merits. Now nobody in any free country discusses the necessity either of the popular assembly or of the executive government. There may be differences of opinion as to the shape which either of them should take; but nobody doubts that both must exist in some shape. But in peaceful times men discuss whether the 'Second Chamber' need exist in any shape, and in a revolution it is the Second Chamber which is most sure to be the first to give way, and the least sure to be restored in any new shape. This alone shows that it does not rest on the same foundation of absolute necessity as the other two elements in the State. This is true in some measure even of commonwealths whose constitution is federal. For though in such commonwealths the Senate or Second Chamber cannot really be dispensed with, yet even there it is not so obvious at first sight that it cannot be dispensed with as that the Lower House cannot. Its necessity is a matter of reflexion, while the necessity of the two other elements is a matter of instinct. With regard to the French or Italian Senate the question is simply whether the business of the nation is likely to be best done by one House or by two. With regard to the American Senate we have to go much deeper. To hinder alike the federal nation from being swamped by the States and the States from being swamped by the federal nation, it is needful to have one assembly in which each State has only that amount of voice to which it is entitled by its population, and another assembly in which each State, great and small, has an equal voice. Yet even under a system where the Second Chamber is absolutely necessary, we see the comparative weakness of Second Chambers; its abolition can be discussed. And herein comes the wonderful wisdom of the founders of the American Constitution in strengthening the Senate with those powers of other kinds which make it something more than a Second Chamber or Upper House. And mark further that the Swiss *Ständerath* or *Conseil des États*, formed after the model of the American Senate, is far from holding the same position in the country which

the American Senate holds. For it is a mere partner with the *Nationalrath*; it has not those special powers in and by itself which the American Senate has. But mark again that the great position of the American Senate is something which could hardly exist along with our form of executive government. A President may be asked formally to submit his acts to be confirmed by one branch of the Legislature; a King can hardly be asked to do so. It may come to be understood that the acts of the King are practically the acts of Ministers approved by the House of Commons; but it is hardly consistent with kingship for the King's ordinary official acts to be imperfect without the approval of Lords or Commons. A King placed in such a position might at least fairly ask that the acts so to be approved should be in the first instance his own, that, in short, within such limits as the law sets him, he should not only reign but govern. Where there is a King, one House, the Lower House, may be practically all-powerful over administration as well as legislation; but it is hard to conceive that, where there is a King, any House, either Upper or Lower, can hold the same position of direct and formal authority which is held by the Senate of the United States.

The system of 'Second Chambers' has become so common during the present century that it is hard always to remember how completely its existence anywhere is owing to the accidents of our own parliamentary history. The English Parliament had come to have two Houses and two Houses only. Many of the English colonies therefore had legislatures of two Houses. When the colonies became independent States, they continued the same system, or sometimes came back to it after trying a single chamber only. So when the same colonies framed for themselves a federal Legislature, that Legislature also took the form of two Houses, and not more or fewer. A crowd of European States have set up Parliaments of the same form. The world has in this way, during the last hundred years, got so used to the system of two chambers, it is so largely

through imitations of our own Parliament that it has got used to it, that we are sometimes apt to forget how modern is the whole line of thought out of which these constitutions have arisen. We are apt to fancy that a system of two chambers is almost the necessary form that a constitutional government must take; and we are apt to fancy, if only unconsciously, that our particular form of it, which has set the model to the others, must have been, like them, purposely devised to compass the objects which its reproductions have been devised to compass. Now it is quite certain that, in the American Union, in each particular State and city of the Union which has adopted the system of two chambers, in France, in Italy, in every other European country which has adopted that system, there was—what there was not in England—a moment when men said, We will have two chambers rather than one—the other alternative, of more than two, had by that time passed out of men's minds—because we think that our affairs will go on better with two than if we have only one. In all these cases men deliberately adopted the system which in England had come about by accident; there was a moment when the nation or its lawgivers thought over the subject, and came to the conclusion that an assembly of two chambers was the form of national assembly most likely to compass the ends which they had in view. But the Senate of the United States, the Second Chamber of any federal body, as having an object distinctively federal, is of less importance in arguments about the advantages of Second Chambers than the Senates of the several States. It surely does seem to prove a good deal on behalf of the system of two Houses, that, besides many European examples, every one of the States of the American Union has adopted it, and that the municipal constitutions of many of the great American cities follow the same pattern.

And now for a few words on a great incidental advantage which England has drawn, not directly from the House of

Lords as an assembly, but from what on every other side is its worst feature. It is a seeming paradox to which I have already referred in an earlier essay,* that it is the existence of the hereditary peerage which, more than any other one cause, has saved England from the curse of a nobility. Because we have allowed the heads of certain families to be hereditary lawgivers and hereditary judges, we have been spared the immeasurably greater evil of seeing whole families, and not merely one member of the family at a time, enjoying mischievous and insulting privileges from generation to generation. Our official assembly lived on; it changed into an assembly that was mainly hereditary; but it never became, like the assembly of the nobility of France or of any other country which had a real nobility, an assembly representing a privileged hereditary caste. The distinctive mark of the English peerage is that, as we have seen, the children of the peer are commoners, having no privilege beyond an honorary precedence. And this difference between England and other lands can have come only of the originally official position of the English peer. He holds a hereditary office; his dignity and privileges are all attached to the possession of that office. His office is hereditary; his son succeeds to it; but till he succeeds he has no part or lot in it. The member of the Estate of Nobles in the French States-General sat as one of the chosen representatives of an exclusive class of which his children were members. The assembly of the nobility of France, or of any other country which had a real nobility, was an assembly representing a privileged hereditary caste. An English peer sits by virtue of a position so great and so strictly personal that even his children have no share in it. Where the descendants of the peer came down to the rank of commoners, a nobility in the continental sense could not grow up. Or rather, to speak more accurately, the growth of the peerage with its comparatively harmless privileges hindered an actual nobility from keep-

* See above, p. 421.

ing or winning privileges which would have been anything but harmless. We have seen that, if the word *nobility* has any real meaning, it must, according to the analogy of lands where there is a real nobility, take in all who bear coat-armour by good right. It is a remark which has been made a thousand times, and no remark can be truer, that countless families which would be reckoned as noble anywhere else are not reckoned as noble in England. That is to say, though they may be rich and ancient, though they may claim an illustrious pedigree and may be able to prove their claim, yet they have nothing to do with the peerage. In other words, the idea of peerage has altogether displaced the older idea of nobility. The growth of the order of peers has hindered the growth of any nobility apart from the peerage. The hereditary dignity of the peer, the great political position which it carries with it, stands so immeasurably above any hereditary dignity which attaches to the simple gentleman by coat-armour, that the gentleman by coat-armour, the noble of other lands, ceased in England to be looked on—or rather never came to be looked on—as noble at all. In other words, the growth of the peerage saved the country from the curse of a nobility after the fashion of the nobility of France or of Germany. The difference in this respect between England and other lands is plain at first sight; and there really seems no other way to explain the difference, except that every notion of hereditary dignity and privilege gathered so exclusively round the hereditary peerage as to leave nothing of any account to gather round any smaller hereditary position.

But, while the growth of the peerage thus hindered the growth of a nobility of which every gentleman should be a member, it was still possible that a real nobility might have grown up out of the peerage itself. That is to say, it might have come about that, while none but the descendants of peers were privileged, all the descendants of peers should be privileged. A nobility might thus have been formed, much

smaller than a nobility taking in all lawful bearers of coat-armour, but still a nobility by no means small. But in England no such nobility has ever grown up. No one has any substantial privilege except the peer himself. No one in short is noble but the peer himself. Even in common speech, though we speak of a noble family, we do not personally apply the word *noble* to any other member of that family, except to a few immediate descendants of peers of the three higher ranks.* In short, while the blood of the peer is said to be ennobled, it is ennobled with a nobility so high and rare that it cannot pass to more than one at a time even of his own descendants.† The eldest son of a Duke is legally a commoner; the children of his younger sons are not only legally but socially undistinguishable from other commoners. That is to say, the hereditary position of the peer is not nobility at all in the sense which that word bears in other lands. It is a fiction to say that the peer's blood is ennobled, when the inheritors of his blood are not inheritors of his nobility. In short, as there is no nobility outside the families whose heads are peers, neither is there any real nobility within those families. As the growth of the hereditary peerage made nobility impossible outside the families of peers, so the particular form of its growth made true nobility impossible even within those families. For, after all, the essence of peerage is simply that the peer becomes by birth what other men become either by royal nomination or by popular election. His official origin still cleaves to him. His place as legislator and judge is in itself as strictly official as the dignity of the Bishop or the Sheriff; but as, unlike the dignity of the Bishop and the Sheriff, it has become hereditary, something of the magic sentiment of hereditary descent has spread itself over its actual holder and over a few of his immediate descendants. But, as the dignity is in itself official, the hereditary sentiment has not been

* See above, p. 422.

† See the plain speaking of Bishop Stubbs, Const. Hist. iii. 443.

able to go further than this; it has not prevailed so far as to establish any nobility or any privilege of any kind for all the descendants of the hereditary legislator and hereditary judge.

This result was further strengthened by the peculiar nature of the office which became hereditary in the peers of England. It is an office which can be discharged only in concert with others; the very essence of the peerage is the summons to take part in the proceedings of an assembly. In itself nothing is more natural than the growth of nobility out of office; it is one of the chief ways in which nobility has come into being. And, to take a position higher than that of mere nobility, men in other lands whose dignity was in its beginning yet more purely official than that of the peers of England, say the Dukes and Counts of Germany contrived, not only to make their offices hereditary, but to make at least their honorary privileges extend to all their descendants for ever and ever. That is to say, they grew into a nobility—a nobility to be sure within a wider nobility—in the strictest sense. Why did not the English peerage do the same? For two reasons, which are in truth different forms of the same reason, different results of the fact that the royal power was so much stronger in England than it was in Germany. One is because the growth of the Dukes and Counts of Germany belongs to a much earlier state of things than the growth of the English peerage, to a state of things when national unity and the royal authority, though much stronger than they were afterwards, were much less firmly established than they were in England in the age when the hereditary peerage grew up. But partly also, and chiefly, because the dignity and authority of the German Duke or Count was mainly a local and personal dignity and authority, a dignity and authority which he held in himself and exercised apart from his fellows, while the dignity and authority of the English peer was one which he could hold and exercise only in partnership with his fellows. To the German Duke or Count his position in the national assembly

was the least important part of his powers; to the English peer it was the essence of his whole position. After the purely official character of the earldoms had died out, the English peer was nothing apart from his brother peers. His greatness was the greatness of the member of a powerful assembly. The Earls and Bishops of England, each by himself, might, if the royal authority had been weaker, have grown into princes, like the Dukes and Bishops of Germany. The Earls, after the change in their character, and the other ranks of peerage from their beginning, were shown to be simple subjects by the very nature of their dignity and power. The position of the German Duke or Count doubtless came from a royal grant; but it was from a royal grant of some distant age. The position of the English peer rested altogether on a writ from the Crown, and that not a writ of past ages, but a writ which, though it could not be refused, needed to be renewed in each successive Parliament. In other lands the assembly of the nobles was great and powerful because it was an assembly of great and powerful men; in England the peer was great and powerful because he was a member of a great and powerful assembly. A parliamentary dignity of this kind, even when it became strictly hereditary, was very different from the *quasi* princely position of the great nobles of other lands. And, though the peer commonly had a great local position, sometimes an almost princely position, it was not as peer that he held it. Whatever might be his local dignity and local rights, they had nothing to do with his peerage; they were shared in his degree by the smallest lord of a manor. In short, the hereditary dignity of the peer, hereditary membership of the Great Council of the nation, was on the one hand so transcendent as to extinguish all other hereditary dignities, on the other hand, as resting on membership of an assembly, it could not well grow into nobility in the strictest sense. The peerage therefore, the office of hereditary legislator and hereditary judge, passed, and such nobility as it conferred passed with it, to one member only of the family at a time.

The other members had no share in the office, and therefore had no share in the nobility which it conferred.

It was then in this way that the peerage, growing out of the hereditary summons to Parliament, hindered the growth of any nobility outside the families of peers, and by the same means hindered the growth of any real nobility within their families. To the existence of the peerage then, more than to any other cause, England owes its happy freedom from the curse of a really privileged class, the happy equality in the eye of the law of all men who are not actually peers. That equality, it must not be forgotten, reaches so high that the children of the sovereign himself, whatever may be their personal honours and precedence, are, unless they are formally created peers, in the eye of the law commoners like other men.* The privileges of the actual peerage have been a small price to pay for such a blessing as this. But we must remember that this happy peculiarity again also came about by accident, or more truly by the silent working of historical circumstances. As no English lawgiver ever decreed in so many words that there should be two Houses of Parliament and not one, three, or four—as no lawgiver ever decreed in so many words that one of these Houses should be elective and the other hereditary or official—so no lawgiver ever decreed in so many words that the children of the hereditary lord of Parliament should be in no way partaker of his privileges. All these things came of themselves; we cannot point to any particular enactment which established any of them, or to any particular moment when they were established. Like other things, they grew by usage, not by enactment; later enactments confirmed them or took them for granted.† But we can see that the rule which has established but one form of real distinction among Englishmen, that which parts the actual peer and the commoner,

* The eldest son of course needs no creation, being born Duke of Cornwall. But it is usual to create him Prince of Wales (strictly a *subregulus* higher than any peer) and Earl of Chester.

† See Lords' Report, i. 47, 483; ii. 25.

grew out of the way in which the elements of Parliament finally settled themselves. We have seen that the parliamentary line was in the end drawn between the baron and the knight. The barons were lifted up to the fellowship of bishops and earls, while the knights were thrust down to the fellowship of citizens and burgesses. This must have done much to hinder the knightly families, families which in any other land would have ranked as noble, from keeping or claiming any strictly hereditary privilege. On the other hand, as we have already seen, the nature of that privilege of peerage which the barons were admitted to share hindered the baronial families from claiming any fresh hereditary privilege beyond the hereditary transmission of the peerage itself.

In this way the hereditary peerage has undoubtedly worked for good. It has proved one of our greatest blessings. It has proved so indeed unwittingly and without set purpose on the part of any one. And we may easily go further. An institution, whatever may have been its first form and its first objects, does not drift into a certain shape and into the practical discharge of certain functions without something that may be called a reason for it. A hereditary House, or a House mainly hereditary, could not have grown up except in a state of things in which hereditary succession, however unreasonable in abstract argument, was felt to be not altogether unreasonable in practice. We may freely allow that, in the times when the House of Lords took its later shape, there was nothing unreasonable in allowing some substantial political privilege to the great baronial houses. Their heads might not be wiser than other men; but they unavoidably had power and influence above other men. Whether designed or undesigned, it was in practice a master-stroke of policy to give that power and influence a legal and parliamentary shape. It was a gain to make those who held it members of an assembly, accustomed to the controlling and civilizing traditions of an assembly,

drawing the main part of their dignity from membership of that assembly. It was a further gain to make that assembly itself only part of a greater assembly, to put the special rights of the peers under the same sanction as the common rights of all other subjects. Given a House of Lords the most purely hereditary in its constitution, the most purely oligarchic in its spirit, still, simply because it is an assembly governed by rules, it would be a vast improvement on a state of things in which each lord by himself played the petty prince in his own lordship, never brought under the teaching of parliamentary traditions, never undergoing the wholesome discipline of being outvoted among his equals. The hereditary succession of the old earls and barons, whether abstractedly reasonable or not, was something which at the time was unavoidable, something which, as hindering far greater mischiefs, was not at the time wholly mischievous. Thus much is proved by the facts of history. But it does not do to argue that, because hereditary succession was not out of place in the thirteenth century, it is therefore equally in its place now. Still less does it do to argue that, because a certain assembly, still not wholly hereditary, has gradually become much more largely hereditary than anything else, therefore hereditary succession is a part of its essential being.

Least of all should any ear be given to any attempted parallel between hereditary succession to the Crown and hereditary succession to seats in the House of Lords. It was said, seven years back, by one who was on very many grounds entitled to respect,* that 'every argument almost that had been used by the Radicals against the hereditary principle applied exactly with the same force to the Sovereign as it did to the House of Lords.' I would not lightly affirm that this analogy was sound even in the thirteenth century; it certainly is not sound in the latter years of the nineteenth. The difference between the two cases is simply

* By the late Earl of Carnarvon in a speech made September 13, 1884.

this. Hereditary succession to the Crown fully falls in with all the other principles of the Constitution, while hereditary succession in the House of Lords goes against them. There is of course room for fair discussion as to the respective merits of various forms of the executive power. The constitutional King, the President, the Council—each has something to be said for it, and something against it. Purely as a political device, there can be hardly any doubt that the constitutional King is the happiest device of the three. Such kingship allows the will of the people or their representatives to be brought to bear on the executive power in a way in which it cannot be brought to bear on the elective President. For behind the Minister who governs stands the King who reigns. The Minister who governs can be got rid of at once, or kept in power for an indefinite period, without any formal act on the part of any one; the President cannot be got rid of till the end of a fixed term, and cannot be kept on beyond that term except by a formal re-election. But to allow such a system as this to work, it is plain that the King must be hereditary; an elective King, like an elective President, would fairly claim, not only to reign, but to govern; for he could be chosen only on account of his presumed fitness for governing. In this way hereditary kingship, as carried on under that system of silent understandings which is established among ourselves, has in truth become, in its purely political aspect, a democratic institution. It combines the reality of popular choice and popular control with all that is venerable and effective in other systems. But the 'hereditary principle,' as thus applied to kingship, has very little in common with the 'hereditary principle' as applied to peerage. The parallel would be if each hereditary peer had an elective somebody to tell him how to vote. The Crown may be hereditary, it is the better for being hereditary, because it is fully understood to what extent and by whose advice its legal powers are to be exercised. In the House of Lords each hereditary peer, qualified or unqualified, clothed with power by virtue of his birth and of nothing else, exercises

his powers as he thinks good. There is no check, no definite understanding; only a vague notion that the Lords must not go too far in withstanding the declared will of the nation. But how far is too far is a matter of experiment in each case, and the Lords and the nation may not always draw the line at the same point. In short, hereditary succession to the Crown allows the actual power to be placed in the hands of those who are best qualified to use it, at all events in the hands of those whom the nation for the time being looks on as best qualified. Hereditary succession to the House of Lords places power in the hands of a body of men many of whom undoubtedly rank among those who are best qualified and most worthy to wield power, but the mass of whom are always likely to be otherwise. The very absence of nobility, so great a blessing on other grounds, in this matter works badly. The British peerage is not widely enough parted from the rest of the nation to receive that traditional impress which marked the Roman *nobilitas*, the Venetian or the Bernese patriciate. The mass of the peers will always be, to say the least, not better qualified than so many men taken at random.

It is not my business to devise schemes for the reform of the House of Lords. As I do not wish it to be 'ended,' I certainly do wish it to be 'mended;' but I will not undertake the work of mending at the tail of an historical enquiry. I will make only one curious remark, and only one practical suggestion.

All this discussion cannot but bring before our minds that, besides Lords and Commons, the Great Councils of earlier days have left behind them another representative, another body, in which both Lords and Commons can find a place. We have among us what surely is the most illustrious assembly in the world, and we find for it, as an assembly, nothing whatever to do. The British Privy Council is surely more like the Roman Senate than any body of men that has been since the Roman Senate. Like that Senate, it is

not hereditary, it is not elective, it is not filled by mere arbitrary nomination. The first men, of all sides in politics and in all branches of public life, find their way into it by natural selection. As in the earlier estate of the House of Lords, there are some men who must be put on its roll; there are others who may be. One would think that a debate on a great question in the full Privy Council would be the wisest, the most eloquent, the most instructive, of all debates. There certainly are plenty of men in the Privy Council, of all callings and of all ways of thinking, who are able beyond other men to make it so. I will not venture to suggest either that the Privy Council should in any way supplant the House of Lords, or that the House of Lords should be reconstructed after the pattern of the Privy Council. For there is the obvious difficulty that many of the most eminent Privy Councillors are needed in the House of Commons. And it may be that the process of natural selection, which acts so wonderfully in gathering the most eminent men in the kingdom to become members of a body which practically never acts or meets, might lose some of its virtue if it became matter of enactment instead of understanding, if it were applied to the choice of men who would have something to do. I only point out the singular anomaly that we have a body—an assembly we can hardly call it—which numbers in its ranks our Claudii and our Fabii on the one hand, our Flaminii and our Catos on the other, and that we can find nothing for the members of such a body to do, except to put the words 'Right Honourable' before their names.*

Last of all, it may have been noticed that I have said a good deal about the seats of the Bishops, and I have perhaps spoken of them in a way at which some may be a little

* [It is worth noting, as one of the curiosities of criticism, that one of those amazingly well-informed people who can review the contents of a whole number of a periodical, described this paragraph, when it appeared in the Contemporary Review, as a proposal to transfer the functions of the House of Lords to the Privy Council.]

amazed. I have certainly not spoken of the Spiritual Lords as if the first instalment of reform would necessarily be to hoot them out of the House. Their position is at this moment a very singular one. Their seats in Parliament are objected to on many and very different grounds. They are objected to, quite reasonably from his point of view, by the Nonconformist seeking for the disestablishment of the Church. They are objected to, no less reasonably from his point of view, by the zealous Churchman whose idea of the bishop's office is so high that he regrets to see those who hold it mixed up with worldly affairs in any way. But there is something to be said on the other side. If there is to be any House of Lords at all, we cannot afford to turn the Bishops out of it, at least till we have some other visible class of non-hereditary Lords to put in their places. Two or three Lords of Appeal in Ordinary are not enough. We cannot too often repeat that the Bishops are the only class of men who keep their seats in Parliament by old traditionary right. This is still true in the strictest sense of five of them; it is fairly allowable to say it of all. They have kept what others have lost. In theory we might say the same of the Earls; but the earldoms have become simply one rank in the hereditary peerage. The Earl, with his illustrious Scandinavian title, now differs in nothing from the French Marquess who walks before him and the French Viscount who walks after him. But the Bishops still hold the same seats by the same tenure as when Anselm braved the wrath of Rufus, not for ecclesiastical privilege, but for moral right—as when Stephen Langton read out the charter of Henry, and wrung its more than renewal from John—as when Edmund, meek and ascetic as Anselm, could withstand King and Pope alike in the cause of English freedom. We may fairly say this, notwithstanding the temporary shutting out of the Bishops in the seventeenth century; and, if their seats had been again taken away at any moment up to the present, it would have been simply giving up the innermost defence of the fortress to its assailants. It would have been setting the final seal

to the long encroachments of the exclusive hereditary doctrine. The Bishops represent the non-hereditary principle; they represent it more clearly than the new Law Lords, because these last, though not hereditary Lords, have been made to look as much like hereditary Lords as might be. The Lords Spiritual are the ancient Witan, the official Witan, keeping their ancient places alongside of the newer hereditary class which has sprung up around them, a class which seems sometimes to forget who are the elder brethren and who are the younger. And as long as the elder brethren keep their seats, they should not encourage their juniors in the somewhat presumptuous belief that the elders are bound to a narrower range of action in the House than the newer class. It seems to be understood that the Archbishop of Canterbury, the Head of *Angle-kin*, the Pontiff of the Other World, the Patriarch of all the Nations beyond the Sea, has not yet wholly lost his ancient place as at once the counsellor of the Crown and the Tribune of the people. He may speak, and he may be allowed a hearing. But it now and then oozes out to the common world that a lesser prelate is sometimes treated by the modern class of Lords as if he were among them by a kind of favour. It is said to need a very strong will indeed for a Spiritual Lord fully to establish his claim to be accepted even as the equal of the strange creations that so largely make up the modern Temporal peerage. No one would wish to see a Bishop figuring as a fiery partisan on any purely party question; but on great questions of truth and righteousness, of faith and freedom, no voice should be raised more firmly, none should be listened to with more heed, than the voices of those Lords whose seats are immemorial.

As a matter of fact, the Spiritual Lords have not deserved ill of the popular cause. The Bishops of 1891 are not the Bishops of 1831. On one of the great divisions on the Franchise Bill, the ancient Witan voted twelve to one on the side of the people; it was by the voices of their more modern hereditary colleagues that the Bill was for a moment

thrown out. And I have known a Bishop, calling himself a Tory, come up from a distant diocese on purpose to vote for the Burials Bill. Still, when the time comes, when we have established that the Other House is not to be hereditary, when it is agreed that its members are to be appointed in some other way or ways, it will certainly be a fit subject of discussion whether the holding of a bishopric shall be one of those ways or not. The question will fittingly come on, both as part of the question of the constitution of the Other House and as part of the question of the relations of Church and State. But the time for that discussion has not come yet. As long as the Other House is mainly hereditary, as long as it is constantly spoken of by both friends and enemies as if it were essentially and naturally hereditary, so long it is a great point to be able to point to at least five of its members as sitting by another and an older right. And, if we may be allowed to believe that that right is no other than the immemorial right of the English freeman to appear and shout Yea or Nay in the great assembly of his folk, a right which those five men have kept while all others have lost it, we may ask to deal a little gently with so living and speaking a memorial of the days of our oldest freedom.

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